

FEDERAL REGISTER

THE NATIONAL ARCHIVES
 OF THE UNITED STATES
 1934

VOLUME 19 NUMBER 238

Washington, Thursday, December 9, 1954

TITLE 3—THE PRESIDENT

PROCLAMATION 3079

UNITED NATIONS HUMAN RIGHTS DAY,
1954

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS December 10, 1954, marks the sixth anniversary of the proclaiming of the Universal Declaration of Human Rights by the General Assembly of the United Nations as a common standard of achievement for all nations and all peoples, and is observed by the member states of the United Nations as Human Rights Day; and

WHEREAS December 15, 1954, marks the one hundred and sixty-third anniversary of the adoption of our Bill of Rights as the first ten Amendments of the Constitution of the United States; and

WHEREAS these same rights are secured to us in the Constitutions and basic laws of our States and Territories; and

WHEREAS an attachment to the noble principles of individual liberty and equal opportunity for all, as enunciated in these great documents, is the foundation of our democracy and a safeguard against dictatorship and tyranny:

NOW, THEREFORE, I DWIGHT D. EISENHOWER, President of the United States of America, do hereby call upon the citizens of the United States to join with peoples throughout the world in observing December 10, 1954, as United Nations Human Rights Day, and on this day and on December 15, the anniversary of our Bill of Rights, as well as throughout the year, to give profound thanks to Almighty God for the rights the people of our Nation have so long enjoyed—freedom of speech and of the press; freedom to worship in accord with the dictates of conscience; fair trial and freedom from arbitrary arrest; the right to own property and to profit by the fruits of our labors. For these rights and freedoms men and women in many countries have striven and died, as our forefathers strove and died, and as today still others strive and die in defense of human dignity against the claims of

totalitarian governments. Let us as free men stand firm in our faith in liberty for all nations and all peoples. Let us by example and cooperation strengthen the world-wide recognition of human rights as the basis for a lasting and prosperous peace.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this third day of December in the year of our Lord nineteen hundred and [SEAL] fifty-four, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 54-9774; Filed, Dec. 8, 1954;
10:04 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter F—Poultry Improvement

PART 145—NATIONAL POULTRY IMPROVEMENT PLAN (CHICKENS AND CERTAIN OTHER POULTRY)

PART 146—NATIONAL TURKEY IMPROVEMENT PLAN (TURKEYS AND CERTAIN OTHER POULTRY)

PART 147—AUXILIARY PROVISIONS ON NATIONAL POULTRY AND TURKEY IMPROVEMENT PLANS

Subchapter F-1—Animal Breeds

REVISION OF REGULATIONS AND REDESIGNATION OF SUBCHAPTER

On October 9, 1954, there appeared in the FEDERAL REGISTER (19 F. R. 6519) a notice that this Department was considering promulgating, under paragraph 101 (b) of the Department of Agriculture Organic Act of 1944, as amended (7 U. S. C. 429), a proposed revision of the National Poultry Improvement Plan and

(Continued on next page)

CONTENTS

THE PRESIDENT

Proclamation	Page
United Nations Human Rights Day, 1954.....	8089

EXECUTIVE AGENCIES

Agricultural Marketing Service	
Notices:	
Ogallala Livestock Commission Co., et al.; notice relative to posted stockyards.....	8112
Proposed rule making:	
Lemons grown in California and Arizona; expenses and rate of assessment for 1954-55 fiscal year.....	8106
Pecans grown in certain States: Administrative rule to permit mail voting in connection with nomination elections for members of Pecan Administrative Committee and Handlers Advisory Council. Expenses and rate of assessment for fiscal period beginning October 1, 1954.....	8107
Agricultural Research Service	
Rules and regulations:	
National poultry and turkey improvement plans and auxiliary provisions.....	8089
Agriculture Department	
See Agricultural Marketing Service; Agricultural Research Service; Commodity Stabilization Service.	
Bonneville Power Administration	
Notices:	
Chief Engineer; delegation of authority with respect to contracts for procurement of engineering and architectural services.....	8107
Commodity Stabilization Service	
Notices:	
Peanuts; redelegation of final authority by the Arkansas State Agricultural Stabilization and Conservation Committee with respect to marketing quota regulations for 1955 crop.....	8113



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

Commodity Stabilization Service—Continued	Page
Rules and regulations:	
Cotton; apportionment of State acreage allotments for 1955 crop of Upland cotton among counties; correction	8104
Federal Communications Commission	
Notices:	
Hearings, etc.:	
Adelman, Louis	8115
Blackhawk Broadcasting Co., Inc. (WSDR)	8114
Blackwater Valley Broadcasters and Muleshoe Broadcasting Co.	8113
Border Broadcasters, Inc. (KVOZ) et al.	8113
Broadcast Group, Inc.	8114
Bucktail Broadcasting Corp. (WBTL)	8115
Cape Fear Broadcasting Co.	8113
Central Delta Broadcasting Co. (WNLA)	8115
Coastal Broadcasting Co. (WONN)	8114
Ernst, Mildred V., and Thermopolis Broadcasting Co., Inc.	8115
Feinstein, Theodore, and Sherwood J. Tarlow	8113
Gade, Harold M., and Monmouth County Broadcasters	8113
Gothberg, George A., Jr. (WFFA)	8115
Mathis, Bill	8114
Miners Broadcasting Service, Inc., et al.	8115
Radio Services of Wellsville	8114
Salina Broadcasting Co.	8114

CONTENTS—Continued

Federal Communications Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Village Broadcasting Co. (WOPA)	8114
Mexican Broadcast Stations; list of changes, proposed changes, and corrections in assignments	8116
Federal Power Commission	
Notices:	
Hearings, etc.:	
Alabama-Tennessee Natural Gas Co. (2 documents)	8117, 8119
Atlantic Seaboard Corp.	8122
Central Kentucky Natural Gas Co.	8121
Clardy and Barnett et al.	8118
East Tennessee Natural Gas Co.	8118
Hope Natural Gas Co.	8120
Hurley, Ed E., et al.	8117
Lake Shore Pipe Line Co.	8120
New York State Natural Gas Corp. and Texas Eastern Transmission Corp.	8118
Northern Natural Gas Co.	8116
Southern Utah Power Co.	8116
Tennessee Natural Gas Lines, Inc.	8119
United Fuel Gas Co.	8121
Proposed rule making:	
Gas rates charged by Independent Producers; change of dates	8107
Fish and Wildlife Service	
Rules and regulations:	
Hunting, proclamations and orders designating areas closed to; list of areas	8104
Interior Department	
See Bonneville Power Administration; Land Management Bureau; Fish and Wildlife Service.	
Notices:	
Director, National Park Service; delegation of authority with respect to disposal of real property adjacent to Olympic National Park, Washington	8112
Interstate Commerce Commission	
Notices:	
Applications for relief:	
Commodity column rates between:	
Points in official territory	8124
Southern and official territories	8124
Phosphate from Don, Idaho, and Garfield, Utah, to Minnesota, North Dakota and South Dakota	8124
Rules and regulations:	
Car service; East Washington Railway Co.	8104
Carriers by motor vehicle and water; rejection of freight and passenger tariffs and schedules and rejection of notices of revocation of concurrence or powers of attorney	8105

CONTENTS—Continued

Land Management Bureau	Page
Notices:	
Arizona:	
Small tract classification order (2 documents)	8108, 8109
Stock driveway withdrawals, modifications (3 documents)	8103
North Dakota and South Dakota; proposed withdrawal and reservation of lands, correction	8110
Oregon; proposed withdrawal and reservation of lands	8112
Utah; filing of plats of survey (4 documents)	8110, 8111
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Mississippi Power & Light Co.	8123
Standard Power and Light Corp.	8123
United Corp.	8122
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 3	Page
Chapter I (Proclamations):	
3079	8089
Title 7	
Chapter VII:	
Part 722	8104
Chapter IX:	
Part 953 (proposed)	8106
Part 994 (proposed) (2 documents)	8106, 8107
Title 9	
Chapter I:	
Part 145	8089
Part 146	8089
Part 147	8089
Title 18	
Chapter I:	
Part 154 (proposed)	8107
Title 49	
Chapter I:	
Part 95	8104
Part 141	8105
Part 145	8105
Part 147	8105
Part 186	8105
Part 187	8105
Part 311	8105
Part 312	8105
Title 50	
Chapter I:	
Part 8	8104
the National Turkey Improvement Plan and Auxiliary Provisions, recommended by the 1954 Conference of representatives of the State agencies cooperating in the administration of such plans.	
In order to permit promulgation of such revised plans and provisions in a new Subchapter F—Poultry Improvement, of Chapter I, in Title 9, Code of Federal Regulations, present Subchapter F—Animal Breeds, of said chapter, is	

hereby redesignated as Subchapter F-1—Animal Breeds.

After due consideration of all relevant matters presented pursuant to the aforesaid notice, and under paragraph 101 (b) of the Department of Agriculture Organic Act of 1944, as amended, the provisions set forth in said notice as proposed Part 145—National Poultry Improvement Plan (Chickens and Certain Other Poultry), Part 146—National Turkey Improvement Plan (Turkeys and Certain Other Poultry), and Part 147—Auxiliary Provisions on National Poultry and Turkey Improvement Plans, are, with the modifications shown below, hereby adopted, to appear in 9 CFR Parts 145, 146 and 147, respectively, under new Subchapter F—Poultry Improvement as follows:

PART 145—NATIONAL POULTRY IMPROVEMENT PLAN (CHICKENS AND CERTAIN OTHER POULTRY)

Sec.	Definitions.
145.1	Administration.
145.2	Participation.
145.3	General provisions for all participants.
145.4	Specific provisions for participating flocks.
145.5	Specific provisions for participating hatcheries.
145.6	Specific provisions for participating dealers.
145.7	Terminology and classification; general.
145.8	Terminology and classification; hatcheries.
145.9	Terminology and classification; flocks and products.
145.10	Supervision.
145.11	Inspections.
145.12	Debarment from participation.
145.13	Blood testing.
145.14	USROP; general.
145.15	USROP; participation.
145.16	USROP; entry.
145.17	USROP; qualification of females.
145.18	USROP; qualification of males.
145.19	USROP; flock qualification as ROP Performance Tested Parent Stock.
145.20	USROP; sale of ROP and ROP Performance Tested Parent Stock products.
145.21	USROP; annual summary.
145.22	USROP; duties of ROP Supervisor.
145.23	USROP; duties of ROP Inspector.
145.24	USROP; central random sample egg production test.
145.25	USROP; central random sample meat production test.
145.26	On-the-farm performance tests; general.
145.27	On-the-farm performance test; egg production.
145.28	On-the-farm performance test; meat production.
145.29	National random sample performance testing program.
145.30	

AUTHORITY: §§ 145.1 to 145.30 issued under sec. 101, 58 Stat. 734 as amended; 7 U. S. C. 429.

§ 145.1 *Definitions.* Except where the context otherwise requires, for the purposes of this part the following terms shall be construed, respectively, to mean:

(a) *Plan.* The provisions of the National Poultry Improvement Plan contained in this part.

(b) *Person.* A natural person, firm, or corporation.

(c) *Department.* The United States Department of Agriculture.

(d) *APH Branch.* The Animal and Poultry Husbandry Research Branch of the Agricultural Research Service of the Department.

(e) *State.* Any State, the District of Columbia, Alaska, Hawaii, or Puerto Rico.

(f) *Official State Agency.* The State authority recognized by the Department to cooperate in the administration of the Plan.

(g) *State Inspector.* Any person employed or authorized under § 145.11 (b) to perform functions under this part.

(h) *Authorized Agent.* Any person designated under § 145.11 (a) to perform functions under this part.

(i) *ROP Supervisor.* The person employed or authorized to perform functions under § 145.23.

(j) *ROP Inspector.* The person employed or authorized to perform functions under § 145.24.

(k) *Affiliated flockowner.* A flockowner who is participating in the Plan through an agreement with a participating hatchery.

(l) *Flock—(1) As applied to breeding.* All chickens of one kind of mating (breed and variety or combination of stocks) and of one classification on one farm;

(2) *As applied to disease control.* All of the chickens on one farm except that, at the discretion of the Official State Agency, any group of chickens which is segregated from another group and has been so segregated for a period of at least 21 days may be considered as a separate flock.

(m) *Hatchery.* Hatchery equipment on one premises operated or controlled by any person for the production of chicks.

(n) *Products.* Chicken breeding stock and hatching eggs, and chicks.

(o) *Baby chicks.* Chicks that have not been fed or watered.

(p) *USROP or ROP.* U. S. Record of Performance.

(q) *Strain.* Chicken breeding stock bearing a given name produced by a breeder through at least five generations of closed flock breeding.

§ 145.2 *Administration.* The Department cooperates through a Memorandum of Understanding with Official State Agencies in the administration of the Plan. The Official State Agency shall carry out the administration of the Plan within the State according to the applicable provisions of the Plan and Memorandum of Understanding. The Official State Agency of any State may adopt regulations applicable to the administration of the Plan in such State further defining the provisions of the Plan or establishing higher standards compatible with the Plan.

§ 145.3 *Participation.* (a) Any person producing or dealing in poultry products may participate in the Plan when he has (1) demonstrated, to the satisfaction of the Official State Agency, that his facilities, personnel, and practices are adequate for carrying out the applicable provisions of the Plan; and (2) signed an agreement with the Official State Agency to comply with the general and the applicable specific provisions of the Plan and any regulations of the Official State Agency under § 145.2. Affiliated flockowners may participate without signing an agreement with the Official State Agency.

(b) Each participant shall comply with the Plan throughout the operating year of the Official State Agency, or until released by such Agency.

(c) A participant in any State shall participate with all of his chicken hatching egg supply flocks and hatchery operations within such State.

(d) No person shall be compelled by the Official State Agency to qualify products for any of the classifications described in § 145.10 (a), (b), (c), (d) and (e) as a condition of qualification for either of the classifications described in § 145.10 (f) and (g).

(e) Participation in the Plan shall entitle the participant to use the Plan emblem reproduced below:



FIGURE 1.

§ 145.4 *General provisions for all participants.* (a) Records of purchases and sales and the identity of products handled shall be maintained in a manner satisfactory to the Official State Agency.

(b) Products, records of sales and purchases of products, and material used to advertise products shall be subject to inspection by the Official State Agency at any time.

(c) Advertising must be in accordance with the Plan, and applicable rules and regulations of the Official State Agency and the Federal Trade Commission. A participant advertising products as being of any official classification may include in his advertising reference to associated or franchised hatcheries only when such hatcheries produce the same kind of products of the same classification.

(d) Participants may not buy or receive for any purpose products from non-participants, or sell products of non-participants, except with the permission of the Official State Agency for use in breeding flocks or for experimental purposes.

(e) The minimum weight of chicken hatching eggs sold shall be 1 11/12 oz. each for replacement stock and 1 10/12 oz. each for broiler stock, except as otherwise specified by the purchaser of the eggs.

§ 145.5 *Specific provisions for participating flocks.* (a) Poultry houses and the land in the immediate vicinity

thereof shall be kept in sanitary condition acceptable to the Official State Agency.

(b) All flocks shall consist of healthy, normal individuals characteristic of the breed and variety, cross, or other combination which they are stated to represent.

(c) A flock shall be deemed to be a participating flock at any time only if it has been officially blood tested within the past 12 months with no pullorum or typhoid reactors on the last test. (See § 145.14 relating to the official blood test.)

(d) Each bird shall be identified with a sealed and numbered band obtained through or approved by the Official State Agency, provided that exception may be made at the discretion of the Official State Agency.

§ 145.6 *Specific provisions for participating hatcheries.* (a) Hatcheries shall be kept in sanitary condition acceptable to the Official State Agency.

(b) A hatchery which keeps started poultry (poultry that has been fed or watered) must keep such poultry separated from the incubator room in a manner satisfactory to the Official State Agency.

(c) All chicks offered for sale under Plan terminology shall be normal and typical of the breed and variety, cross, or other combination represented.

(d) Eggs incubated shall be sound in shell, typical for the breed and variety, strain, or cross thereof and reasonably uniform in shape. Mediterranean breed eggs shall be reasonably free from tints. Hatching eggs shall be trayed and the chicks boxed with a view to uniformity of size.

(e) All hatcheries operated under the same name, ownership, or management within a State shall participate in the Plan if any of them are to participate.

§ 145.7 *Specific provisions for participating dealers.* Dealers in chicken breeding stock or hatching eggs or chicks shall comply with all provisions in this part which apply to their operations.

§ 145.8 *Terminology and classification; general.* (a) The official classification terms defined in §§ 145.9 and 145.10 and the various designs illustrative of the official classifications as reproduced in § 145.10 may be used only by participants and to describe products that have met all the specific requirements of such classifications.

(b) Products produced under the Plan shall lose their identity under Plan terminology when they are purchased for resale by, or consigned to, non-participants.

(c) Participating flocks and the eggs and chicks produced from them may be designated by their own strain or trade name.

(1) When a strain designation is used, the participant shall be able by records to substantiate that the products so designated are from flocks that are composed of either (i) first or second generation stock from the breeder of such strain, or (ii) stock purchased from the breeder of the strain and mated,

each subsequent generation, only to males secured from such breeder.

(2) A breeder's name or trade name (other than in a strain designation), or trade mark, may be used in relation to the stock reproduced by a participant only with the agreement of the breeder.

(d) Domesticated waterfowl, game birds and guineas meeting the requirements for participation for any of the classifications specified in § 145.10 may be designated as coming within such classification.

§ 145.9 *Terminology and classification; hatcheries.* Participating hatcheries and dealers shall be designated as "NPIP Participating."

§ 145.10 *Terminology and classification; flocks and products.* Participating flocks, and the eggs and chicks produced from them, which have met the respective requirements specified in this § 145.10 may be designated by the following terms or illustrative designs:

(a) *U. S. Record of Performance.* Females meeting prescribed standards for performance as individuals or families as provided in § 145.18 or males meeting the pedigree requirements in § 145.19.



FIGURE 2.

(b) *USROP Performance Tested Parent Stock.* Stock meeting the requirements prescribed in § 145.20.



FIGURE 3.

(c) *U. S. Certified For Eggs.* (1) All males ROP, or (2) all males and females from ROP Performance Tested Parent stock for egg production mated in the same combination as used in the parent flock.



FIGURE 4.

(d) *U. S. Certified For Meat.* All males and females from ROP Performance Tested Parent Stock for meat production, mated in the same combination as used in the parent flock.



FIGURE 5.

(e) *U. S. Approved.* All males and females selected by Authorized Agents according to standards prescribed by the Official State Agency or the State College of Agriculture.



FIGURE 6.

(f) *U. S. Pullorum-Typhoid Passed.* Flocks in which no pullorum or typhoid reactors were found on the last official blood test provided for in § 145.5 (c).

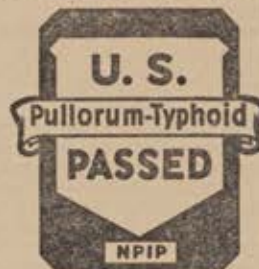


FIGURE 7.

(g) *U. S. Pullorum-Typhoid Clean.* Flocks in which no pullorum or typhoid reactors were found on two consecutive official blood tests provided for in § 145.5 (c). Flocks acquired from participating sources may qualify if no reactors are found on the first or any subsequent official test. In order to sell hatching eggs or chicks of this classification, all hatching eggs and chicks handled must meet these requirements.



FIGURE 8.

§ 145.11 *Supervision.* (a) The Official State Agency may designate qualified persons as Authorized Agents to do the selecting, blood collecting and blood testing work provided for in §§ 145.5, 145.10, and 145.14.

(b) The Official State Agency shall employ or authorize qualified persons as State Inspectors to perform, or supervise the performance of, the selecting and testing of participating flocks and to perform the official inspections necessary to verify compliance with the requirements of the Plan.

§ 145.12 *Inspections.* (a) Each participating hatchery shall be inspected a sufficient number of times each year to satisfy the Official State Agency that the operations of the hatchery are in compliance with the provisions of the Plan.

(b) Each year a sample of the flocks selected or tested by Authorized Agents shall be inspected by a State Inspector. This must include the inspection of some flocks of each hatchery. Each flock inspection shall include the examination of a sufficient number of males and females and, in flocks qualified for participation by the whole-blood test, the blood testing of a sufficient number of birds, to determine whether the work of the Authorized Agent was satisfactory and that the flock is qualified for participation.

§ 145.13 *Debarment from participation.* Non-compliance with the provisions of the Plan, or regulations of the Official State Agency under § 145.2, not corrected within the time specified by the Official State Agency, shall be grounds for the Official State Agency to bar a participant from further participation for a period to be determined in each case by the Official State Agency. Such action shall not be taken until a thorough investigation has been made by the Official State Agency and the participant has been given an opportunity for a hearing.

§ 145.14 *Blood testing.* (a) The official blood test shall be the standard tube agglutination test, the rapid serum test, or the stained-antigen, rapid, whole-blood test, conducted by an Authorized Agent or State Inspector. The recommended procedures for conducting such tests are described in Subpart A, Part 147, of this chapter. Each lot of antigen used for the whole-blood test shall be approved by the Department.

(b) There shall be an interval of at least 21 days between any official blood test and any previous test with pullorum-typhoid antigen.

(c) All chickens to be used as breeders must be tested when more than five months of age.

(d) All domesticated fowl on the farm of the participant shall either be properly tested to meet the same standards as the participating flock or these birds and their eggs shall be separated from the participating flock and its eggs.

(e) All tests with *Salmonella* antigens of flocks participating in or candidates for participation in the Plan shall be reported to the Official State Agency within 10 days following the completion of such tests. All reactors shall be con-

sidered in determining the classification of the flock.

(f) Reactors may be submitted to a laboratory for autopsy and bacteriological examination. The laboratory and the number of reactors to be submitted shall be designated by the Official State Agency. The recommended minimum procedure for bacteriological examination is described in Subpart B, Part 147 of this chapter. In case such bacteriological examination fails to demonstrate pullorum or typhoid infection, the flock shall be deemed to have had no pullorum or typhoid reactors. If other members of the *Salmonella* group are isolated, the Official State Agency may disqualify the flock for participation, or require such other action as is deemed necessary with respect to the infection.

§ 145.15 *USROP; general.* The ROP classification may be attained by:

(a) The qualification of individual birds through trapnesting and pedigree breeding, or

(b) The qualification of flocks through the performance of their progeny in a central random sample test, as specified in §§ 145.25 and 145.26, or in any other central random sample test approved for this purpose by the Department.

§ 145.16 *USROP; participation.* (a) Any person who, in the opinion of the Official State Agency, has the facilities for conducting a systematic program of poultry breeding is eligible for ROP participation.

(b) Each participant shall either trapnest the entry for ROP female qualification or enter a central random sample test for flock qualification. Participants trapnesting for ROP female qualification are also encouraged to enter central and on-the-farm random sample tests annually as a measure of the performance of their stock.

§ 145.17 *USROP; entry.* (a) The entry may consist of any breed and variety, strain, cross thereof, or hybrid combination bred for the production of eggs, meat or both.

(b) Candidates for female qualification shall be trapnested under the supervision of the Official State Agency.

(c) Candidates for flock qualification as ROP Performance Tested Parent Stock for egg production shall be represented by an entry in a central random sample egg production test (see § 145.15 (b)).

(d) Candidates for flock qualification as ROP Performance Tested Parent Stock for meat production shall be represented by an entry in a central random sample meat production test (see § 145.15 (b)).

§ 145.18 *USROP; qualification of females.* (a) Females may qualify as ROP females as follows:

(1) If an individual bird has laid at the rate of 60 percent or more during a period of at least 10 consecutive months, when trapnested a minimum of five days per month and a minimum of 100 days; or

(2) If the members of an entire family of six or more full sisters have laid at an average rate of 65 percent or more during a period of at least 10 consecu-

tive months, when trapnested a minimum of five days per month and a minimum of 100 days; or

(3) If the members of an entire family of eight or more full sisters have laid at an average rate of 70 percent or more when trapnested a minimum of five days per week and a minimum of 13 consecutive weeks.

(b) The trapnest period for each bird shall start with the first egg laid in a trapnest by such bird.

§ 145.19 *USROP; qualification of males.* A male may qualify as an ROP male provided:

(a) The pedigree record and wing band shall show that he was produced from an ROP sire and an ROP dam in a single-male mating, except that for beginning ROP participants a male may qualify on other bases acceptable to the Official State Agency and the APH Branch, such as having a full sister family meet the requirements of § 145.18 (a) (2) or (3); and

(b) In any event the male shall meet the following physical requirements:

(1) Exhibit health and constitutional vigor and show no evidence of any disease, for example, misshapen pupil or deformed leg indicative of leukosis;

(2) Show no serious physical deformities such as crooked back, wry tail, crooked beak, extremely crooked breast bone or toes; and

(3) Be reasonably representative of the breed and variety and meet the minimum weight standards as currently specified in the Standard of Perfection published by the American Poultry Association.

§ 145.20 *USROP; flock qualification as ROP Performance Tested Parent Stock.* (a) Flocks offered for qualification under §§ 145.16 and 145.17 and for which reports have been made as required by § 145.22 may qualify as:

(1) ROP Performance Tested Parent Stock for egg production when progeny from such stock entered in an officially recognized central random sample egg production test (i) laid at an average rate of at least 60 percent on a hen-housed basis; or (ii) ranked among the top third of the entries in rate of lay. (When the breeder has entries in more than one central random sample test, qualification shall be based upon the average performance records in all such tests.)

(2) ROP Performance Tested Parent Stock for meat production when progeny from such stock entered in an officially recognized central random sample meat production test (i) laid at an average rate of at least 50 percent on a hen-housed basis and had an average 9 week weight of at least 2.5 pounds for pullets and 3.0 pounds for cockerels; or (ii) ranked in the top third of the entries in rate of lay and rate of growth. (When the breeder has entries in more than one central random sample test, qualification shall be based upon the average performance records in all such tests.)

(b) Stock classified as ROP Performance Tested Parent Stock may retain that classification for two years after classification, provided (1) the stock is maintained under the supervision of the

qualifying breeder, and is mated in the same combination, and

(2) the breeder remains eligible for ROP participation under § 145.16 (a) and maintains an entry in a central random sample test as provided for in § 145.17 (c) or (d).

§ 145.21 *USROP; sale of ROP and ROP Performance Tested Parent Stock products.* (a) When products are sold or offered for sale under the ROP classification:

(1) The breeder must have on file evidence that such products are from single male matings of qualified ROP males and ROP females.

(2) A copy of such evidence, including records of egg production, hatching and pedigree, must be submitted routinely to the Official State Agency.

(3) Eggs sold, or set for the sale of chicks or stock, shall weigh at least $1\frac{1}{2}$ oz. each.

(4) Reports of trapnest records shall be in terms of percent production, except that records based on 3-, 4-, 5-, 6-, or 7-day-a-week trapnesting for a 365-day trapnest period, may be reported in number of eggs. Reports of trapnest records shall show the number of days of trapnesting on which such records were based.

(b) When products are sold or offered for sale as ROP Performance Tested Parent Stock, the breeder shall be able to substantiate by records filed with the Official State Agency that such products are from matings qualified as ROP Performance Tested Parent Stock.

§ 145.22 *USROP; annual summary.* The ROP Supervisor shall submit to the APH Branch, for publication, whichever of the following reports are appropriate for each ROP entry:

(a) A central or on-the-farm egg production test report shall comprise the following:

(1) Name and location of test;

(2) Breed and variety of entry (indicate if the entry is a crossbred, strain cross, or hybrid combination);

(3) Breeder's grade designation of chicks entered;

(4) Total number of females in the flock or flocks from which sample was drawn;

(5) Number of pullet chicks started;

(6) Number of pullets housed;

(7) Age at which pullets attained 50 percent production;

(8) Average egg weight of pullets at time 50 percent production was attained;

(9) Average egg production to 500 days of age, hen-housed basis, number and percent;

(10) Average egg production in number of eggs to 500 days of age, hen-day basis;

(11) Adult mortality;

(12) Average egg weight based on one or more weighings during the period January, February, and March;

(13) Average body weight based on January, February or March weighing;

(14) Interior egg quality data, if available and requested by breeder;

(b) A central or on-the-farm meat production test report shall comprise the following:

(1) For the growing phase:

(i) Name and location of test;

(ii) Breed and variety of entry (indicate if the entry is a crossbred, strain cross, or hybrid combination);

(iii) Breeder's grade designation of chicks entered;

(iv) Total number of females in flock or flocks from which sample was drawn;

(v) Number of chicks started;

(vi) Mortality to 9 weeks of age;

(vii) Average 9-week weight and variability of all pullets;

(viii) Average 9-week weight and variability of all cockerels;

(ix) Number of cockerels dressed (at least 50 selected at random at 9 weeks of age);

(x) Average live weight of dressed cockerels;

(xi) Average New York dressed weight before chilling;

(xii) Average eviscerated weight, if available;

(xiii) Number of Grade A, B, and C carcasses, based on fleshing; finish; and freedom from pinfeathers;¹

(xiv) Number of birds rejected due to crooked or dented keel, hunchback, misshapen bones, calluses and blisters, scabby or discolored backs, black, blue or green color showing through skin; and

(2) For the laying phase:

(i) Name and location of test;

(ii) Breeder's grade designation of entry (female parent stock);

(iii) Total number of females in flock or flocks from which sample was drawn;

(iv) Number of pullets housed;

(v) Adult mortality for 300 days;

(vi) Average egg production in percent for a period of 300 days, hen-housed basis;

(vii) Average egg production in percent for a period of 300 days, hen-day basis;

(viii) Average egg weight;

(ix) Hatchability (in a central test based on eggs hatched for the growing phase, and in an on-the-farm test as provided in § 145.29 (b));

(c) The report for a participant who had no entry in a performance test shall comprise the following (this report shall also be submitted for other participants at their request):

(1) Breed and variety of the entry;

(2) Total number of pullets of this breed and variety on the farm;

(3) Number of pullets of this breed and variety trapnested for entry in ROP;

(4) Number of pullets trapnested which were individually pedigreed;

(5) Number meeting the ROP requirements;

(6) Percentage of birds trapnested meeting the ROP requirements;

(7) Average egg weight of all birds trapnested (based on the average of not less than the first five and not more than the first ten individual egg weights taken by the breeder and the ROP Inspector at a time previously agreed upon by the breeder and Official State Agency);

¹ The grading will be based on United States Classes, Standards, and Grades for Poultry as contained in 7 CFR Part 70, Subpart B.

(8) Average body weight of all birds trapnested (This is optional with the breeder).

§ 145.23 *USROP; duties of ROP Supervisor.* The ROP Supervisor shall represent the Official State Agency in its supervision of ROP participation.

(a) For participants having candidates for female qualification, he shall keep on file in his office for at least five years a record of

(1) All qualified males, with at least one-generation pedigree showing records of egg production of the female ancestors;

(2) All qualified females with records of their egg production for their qualifying period;

(3) All single-male matings; and

(4) All ROP chicks with at least one-generation pedigree.

(b) For participants having entries in performance tests, he shall keep on file in his office for at least five years all records made in performance tests.

(c) He shall submit the reports required in § 145.22.

§ 145.24 *USROP; duties of ROP Inspector.* The ROP Inspector shall work under the direction of the ROP Supervisor.

(a) For participants having candidates for female qualification, he shall:

(1) Visit, and inspect the work of, each breeder at least four times a year, his visits to be so timed that each season of the year shall be represented and at least three of these visits shall be unannounced;

(2) Trapnest on each inspection enough pens of ROP candidates to satisfy the Official State Agency as to the accuracy of the breeder's trapnest records;

(3) During the official egg weighing period for the breeder provided under § 145.22 (c) (7), weigh and record the weight of the egg laid by each bird trapnested;

(4) Examine hens apparently out of production and determine whether they are being credited with eggs;

(5) During the breeding season, examine all birds in single-male matings to see that the birds which constitute these matings are properly listed with the supervisor;

(6) Compare the number of eggs being incubated from each hen with the number she is credited with having laid during the corresponding period, and subsequently with the number of chicks reported hatched and wing-banded. (He shall have the authority to examine for fertility the eggs being incubated);

(7) Make an annual inspection of pedigree-hatching facilities and methods and chick-banding techniques.

(b) For participants having entries in performance tests, he shall:

(1) Select at random the entries provided for in §§ 145.17 (c) and (d), 145.25, 145.26, 145.27, 145.28 and 145.29;

(2) Make the inspections required in §§ 145.27, 145.28 and 145.29.

§ 145.25 *USROP; central random sample egg production test.* (a) A central random sample egg production test shall be conducted at a neutral location

under the supervision of an Official State Agency and shall consist of entries from two or more participants.

(b) The sample to be tested shall consist of a random sample of eggs selected by the ROP Inspector from all mated pullets used to produce the grade of chicks to be tested.

(c) At least 50 pullet chicks, hatched from these eggs, shall be started for each entry.

(d) Pen egg production and mortality shall be recorded daily until the birds are 500 days of age.

(e) At the end of the test a summary for each entry shall be submitted by the ROP Supervisor to the APH Branch, for publication, including the items specified in § 145.22 (a).

§ 145.26 *USROP; central random sample meat production test.* (a) A central random sample meat production test shall be conducted at a neutral location under the supervision of an Official State Agency and shall consist of entries from two or more participants.

(b) The sample (1) for the growing phase shall consist of a random sample of eggs selected by the ROP Inspector from all mated pullets used to produce the grade of chicks to be tested; and (2) for the laying phase shall consist of a random sample of eggs, or chicks, or 4-6 month old pullets selected at random by the ROP Inspector from the female parent stock.

(c) Hatchability shall be based on eggs hatched for the growing phase.

(d) At least 250 straight-run chicks shall be started in the growing phase for each entry.

(e) At least 50 pullets or pullet chicks shall be started in the laying phase for each entry.

(f) Pen egg production and mortality shall be recorded daily for a period of 300 days.

(g) At 9 weeks of age individual body weights shall be recorded by sex for the growing phase entry. At this time a minimum of 50 cockerels shall be selected at random and dressed under the supervision of the ROP Inspector.

(h) At the end of the test a summary for each entry shall be submitted by the ROP Supervisor to the APH Branch, for publication, including the items specified in § 145.22 (b).

§ 145.27 *On-the-farm performance tests; general.* (a) These tests shall be conducted under the supervision of the Official State Agency on the breeder's farm or at some other location under his control.

(b) Good but not impractical commercial conditions shall prevail.

(c) The entries shall be selected by the ROP Inspector and each bird shall be identified with official, sealed and numbered bands at the time of selection.

(d) Accurate mortality records shall be kept for the duration of the test, and any bird removed from the test pen shall be considered as a mortality.

(e) Trapnesting of the entry shall be optional with the participant.

(f) There shall be a minimum of six unannounced inspections, with at least two during the period January, February and March.

(g) The inspector shall determine the number of eggs laid on the day of inspection as a check on the accuracy of the breeder's records.

(h) The inspector shall weigh, either individually or as a lot, the eggs laid on the days of inspection during the period January, February and March, and the average egg weight shall be computed from these weights.

(i) The entry shall be housed as a unit in a separate pen or building during the time egg production is being recorded.

(j) At the end of an on-the-farm test a summary for each entry shall be submitted by the Official State Agency to the APH Branch for publication, including for an egg production test the items specified in § 145.22 (a) and for a meat production test the items specified in § 145.22 (b).

§ 145.28 *On-the-farm performance test; egg production.* (a) An entry shall consist of at least 125 pullet chicks selected at random by the ROP Inspector and identified with sealed official wing bands at hatching time.

(b) Pen egg production shall be recorded daily until the birds are 500 days of age.

(c) The inspector shall weigh the pullets, either individually or as a lot, on one of the days of inspection during the period January, February and March, and the average body weight shall be computed from these weights.

§ 145.29 *On-the-farm performance test; meat production.* (a) The entry shall consist of (1) 250 or more straight-run chicks of the grade to be tested, selected at random by the ROP Inspector from those produced by all mated pullets used to produce the grade of chicks to be tested; and

(2) 100 or more (February, March or April-hatched) pullets selected at random at 4 to 6 months of age from the female parent stock of the chicks to be tested.

(b) The chicks shall be floor brooded to 9 weeks of age, with no more than 1½ square feet of floor space per bird.

(c) The inspector shall weigh and record the weight and sex of each bird at 9 weeks of age. At this time a minimum of 50 cockerels shall be selected at random and dressed under the supervision of the inspector.

(d) Pen egg production and mortality shall be recorded daily for a period of 300 days.

(e) Hatchability shall be determined by the inspector by checking at random, the hatchability of at least 1,000 eggs from those produced by all mated pullets used to produce the grade of chicks to be tested.

(f) The entrant shall be disqualified by any misrepresentation, falsification or use of artificial practices (except lights) such as plumping, hormones, etc.

§ 145.30 *National random sample performance testing program.* The national random sample performance testing program embodies the operation of central performance tests available to any poultry breeder in accordance with the following provisions:

(a) The tests shall be conducted cooperatively by the Department and a State Agricultural Experiment Station or other State Agency approved for the purpose by the Department.

(b) The program shall be conducted under the supervision and control of a governing board, which shall be composed of:

(1) Members nominated and elected by persons participating in the testing program and approved by the cooperating agencies; and

(2) One ex officio member from each cooperating agency.

(c) The detailed plan of operation of the tests subject to the approval of the governing board shall be as follows:

(1) The test shall be available to any poultry breeder approved by the governing board. The entry shall be limited, however, to flocks certified, by an agency recognized by the governing board, as negative to a pullorum test.

(2) The breeder may carry on any type of breeding program desired, including hybridization, crossbreeding, etc.

(3) The test shall be conducted, insofar as possible, under favorable practical conditions. (There shall be no deliberate exposure to disease.)

(4) The results of both the egg production and meat phase shall be promptly published at the conclusion of each year's test. The publication shall include an interpretation of the statistical validity of the results.

(5) The actual performance on each reportable item shall be published rather than a ranking based on one character or combination of characters.

(6) All entries shall consist of sufficient hatching eggs (450) to produce 125 pullet chicks.

(7) Hatching eggs shall be selected at random by a disinterested person designated by the test management.

(8) Hatching eggs shall be selected from those used to produce a designated commercial grade of the breeder's chicks.

(9) The type of entry shall be designated as: "single-strain purebred" (suitable for use in breeding flocks) or "others".

(10) The eggs shall be set on a date determined by the governing board.

(11) Records shall be kept on the fertility and hatchability of the eggs submitted.

(12) Chicks shall be reared intermingled to housing time. (The same number of chicks from each entry to be brooded and reared together.)

(13) They shall be range reared.

(14) All birds removed from the test pen except males resulting from errors in sexing shall be considered as mortality. (When males are removed the number of chicks entered shall be adjusted accordingly.)

(15) Rearing mortality shall be based on the period from hatching to 160 days of age.

(16) Laying house mortality shall be based on the period from 160 days to 500 days of age.

(17) All sick or dead birds removed from the test shall be autopsied.

(18) Each entry shall be housed separately not later than 160 days of age and until the end of the test period.

(19) All eggs laid subsequent to housing shall be credited to the entry.

(20) Pen production records shall be kept from the date of housing until 500 days from date of hatching.

(21) Egg weight shall be determined by grading the eggs into the market grades, with respect to weight only. The eggs from each entry shall be graded one day a week from laying to February 1, and one day a month thereafter.

(22) Body weight shall be determined in January, February or March by bulk weighing the pullets.

(23) Egg quality data shall be collected one day a month during the months of November, January, March, and May. This shall be based on measurements of all the eggs laid that day and shall include the following:

- (i) Egg shape;
- (ii) Shell thickness;
- (iii) Meat and blood spots; and
- (iv) Albumen quality (broken out basis).

(24) Feed consumption data shall be recorded from housing to the end of the test. All-mash rations approved by the test management shall be fed throughout the test.

(25) For an entry in the meat production phase, the following additional provisions shall apply:

(i) Twenty-four (24) male chicks of the male line used to produce the meat production chicks shall be started at hatching time.

(ii) Of the 24 males, eight males shall be selected and mated with the pullet entry at housing time. Rotating or shifting the males is desirable in which case 16 males would be used.

(iii) Eggs shall be collected and hatched from the test pen a minimum of twice a year and as many more times as feasible with available facilities.

(iv) A sufficient number of eggs shall be set to produce 200 straight run chicks. This figure may be modified, depending on the number of entries to be tested, the facilities available, and the number of growth trials to be conducted annually.

(v) Chicks referred to in subdivision (iv) of this subparagraph shall be reared to 10 weeks of age at which time the entire lot shall be dressed.

(26) Additional details to apply to the growing test of the meat production phase are as follows:

(i) Hatchability and fertility data shall be obtained for the eggs collected for the production of chicks for the growing test.

(ii) Livability shall be determined for the periods of hatching to two weeks of age and two weeks to 10 weeks of age.

(iii) Feed consumption to 10 weeks of age shall be collected, assuming that each entry can be reared separately.

(iv) The following additional data shall be collected at 10 weeks by sexes:

- (a) Individual live body weights.
- (b) New York dressed weight of entire lot.

(c) Eviscerated weight of entire lot.

(d) Percent of birds of Grade A, B, and C for fleshing; for finish; and for freedom from pinfeathers.²

PART 146—NATIONAL TURKEY IMPROVEMENT PLAN (TURKEYS AND CERTAIN OTHER POULTRY)

Sec.	
146.1	Definitions.
146.2	Administration.
146.3	Participation.
146.4	General provisions for all participants.
146.5	Specific provisions for participating flocks.
146.6	Specific provisions for participating hatcheries.
146.7	Specific provisions for participating dealers.
146.8	Terminology and classification; general.
146.9	Terminology and classification; hatcheries.
146.10	Terminology and classification; flocks and products.
146.11	Supervision.
146.12	Inspections.
146.13	Debarment from participation.
146.14	Blood testing.
146.15	USROP; general.
146.16	USROP; participation.
146.17	USROP; candidate matings.
146.18	USROP; qualification of hens.
146.19	USROP; qualification of toms.
146.20	USROP; exceptions to requirements for qualification.
146.21	USROP; qualified matings.
146.22	USROP; mass matings.
146.23	USROP; hatching eggs.
146.24	USROP; poult.
146.25	USROP; participants producing ROP poult from purchased eggs.
146.26	USROP; sale of products.
146.27	USROP; duties of ROP Supervisor.
146.28	USROP; duties of ROP Inspector.
146.29	Turkey reproduction test.
146.30	Central turkey meat production test.
146.31	On-the-farm turkey meat production test.

AUTHORITY: §§ 146.1 to 146.31 issued under sec. 101, 58 Stat. 734, as amended; 7 U. S. C. 429.

§ 146.1 *Definitions.* Except where the context otherwise requires, for the purposes of this Part the following terms shall be construed, respectively, to mean:

(a) *Plan.* The provisions of the National Turkey Improvement Plan contained in this Part.

(b) *Person.* A natural person, firm, or corporation.

(c) *Department.* The United States Department of Agriculture.

(d) *APH Branch.* The Animal and Poultry Husbandry Research Branch of the Agricultural Research Service of the Department.

(e) *State.* Any State, the District of Columbia, Alaska, Hawaii, or Puerto Rico.

(f) *Official State Agency.* The State authority recognized by the Department to cooperate in the administration of the Plan.

(g) *State Inspector.* Any person employed or authorized under § 146.11 (b) to perform functions under this part.

(h) *Authorized Agent.* Any person designated under § 146.11 (a) to perform functions under this part.

²The grading will be based on U. S. Classes, Standards, and Grades for Poultry as contained in 7 CFR Part 70, Subpart B.

(i) *ROP Supervisor.* The person employed or authorized to perform functions under § 146.27.

(j) *ROP Inspector.* The person employed or authorized to perform functions under § 146.28.

(k) *Affiliated flockowner.* A flockowner who is participating in the Plan through an agreement with a participating hatchery.

(l) *Flock—(1) As applied to breeding.* All turkeys of one kind of mating (variety or combination of stocks) and of one classification on one farm;

(2) *As applied to disease control.* All of the turkeys on one farm, except that, at the discretion of the Official State Agency, any group of turkeys which is segregated from another group and has been so segregated for a period of at least 21 days may be considered as a separate flock.

(m) *Hatchery.* Hatchery equipment on one premises operated or controlled by any person for the production of poult.

(n) *Products.* Turkey breeding stock and hatching eggs, and poult.

(o) *Baby poult.* Poult that have not been fed or watered.

(p) *USROP or ROP.* U. S. Record of Performance.

(q) *Strain.* Turkey breeding stock bearing a given name produced by a breeder through at least five generations of closed flock breeding. Only (1) first generation progeny (F₁) of stock originating from eggs produced under the direct supervision of the breeder, or (2) stock multiplied by persons designated by the breeder, may be designated as of the breeder's strain.

(r) *Trade name or number.* A name or number compatible with State or Federal laws and regulations applied to a specified stock or product thereof, and which has been filed with the Official State Agency together with a description of such stock.

(s) *Broad-breasted.* A term used to describe a type of turkey which at the time of selection, and no later than 30 weeks of age, has a breast width at a point 1¼ inches above the keel of at least 3½ inches, for both toms and hens.

§ 146.2 *Administration.* The Department cooperates through a Memorandum of Understanding with Official State Agencies in the administration of the Plan. The Official State Agency shall carry out the administration of the Plan within the State according to the applicable provisions of the Plan and Memorandum of Understanding. The Official State Agency of any State may adopt regulations applicable to the administration of the Plan in such State further defining the provisions of the Plan or establishing higher standards compatible with the Plan.

§ 146.3 *Participation.* (a) Any person producing or dealing in poultry products may participate in the Plan when he has (1) demonstrated, to the satisfaction of the Official State Agency, that his facilities, personnel, and practices are adequate for carrying out the applicable provisions of the Plan; and (2) signed an agreement with the Official State Agency to comply with the

general and the applicable specific provisions of the Plan and any regulations of the Official State Agency under § 146.2. Affiliated flockowners may participate without signing an agreement with the Official State Agency.

(b) Each participant shall comply with the Plan throughout the operating year of the Official State Agency, or until released by such Agency.

(c) A participant in any State shall participate with all of his turkey hatching egg supply flocks and hatchery operations within such State.

(d) No person shall be compelled by the Official State Agency to qualify products for any of the classifications described in § 146.10 (a), (b), (c) and (d) as a condition of qualification for either of the classifications described in § 146.10 (e) and (f).

(e) Participation in the Plan shall entitle the participant to use the Plan emblem reproduced below:



FIGURE 9.

§ 146.4 *General provisions for all participants.* (a) Records of purchases and sales and the identity of products handled shall be maintained in a manner satisfactory to the Official State Agency.

(b) Products, records of sales and purchases of products, and material used to advertise products shall be subject to inspection by the Official State Agency at any time.

(c) Advertising must be in accordance with the Plan and applicable rules and regulations of the Official State Agency and the Federal Trade Commission.

(d) Participants may not buy or receive for any purpose products from non-participants, or sell products of non-participants, except with the permission of the Official State Agency for use in breeding flocks or for experimental purposes.

(e) The minimum weight of turkey hatching eggs shipped interstate shall be 2½ ounces each for small varieties and 2½ ounces each for other varieties, unless otherwise specified by the purchaser of the eggs.

(f) Standard and broad breasted turkeys of the same variety may not be kept on the same premises or hatched in the same hatchery.

(g) When artificial insemination is used, its use and the extent of its use

shall be stated in all performance reports.

§ 146.5 *Specific provisions for participating flocks.* (a) Poultry houses and the land in the immediate vicinity thereof shall be kept in sanitary condition acceptable to the Official State Agency.

(b) All flocks shall consist of birds that have been selected for health, vigor and freedom from physical deformities of economic importance by an Authorized Agent or State Inspector.

(c) A flock shall be deemed to be a participating flock at any time only if it has been officially blood tested within the past 12 months with no pullorum or typhoid reactors on the last test. (See § 146.14 relating to the official blood test.)

(d) Each bird shall be identified with a sealed and numbered band obtained through or approved by the official State Agency.

§ 146.6 *Specific provisions for participating hatcheries.* (a) Hatcheries shall be kept in sanitary condition acceptable to the Official State Agency.

(b) A hatchery which keeps started poultry (poultry that has been fed or watered) must keep such poultry separated from the incubator room in a manner satisfactory to the Official State Agency.

(c) All poult offered for sale under Plan terminology shall be normal and typical of the variety, cross, or other combination represented.

(d) Eggs incubated shall be sound in shell and reasonably uniform in shape. Eggs shall be trayed and poult boxed with a view to uniformity of size.

(e) All hatcheries operated under the same name, ownership, or management within a State shall participate in the Plan if any of them are to participate.

§ 146.7 *Specific provisions for participating dealers.* Dealers in turkey breeding stock or hatching eggs or poult shall comply with all provisions in this Part which apply to their operations.

§ 146.8 *Terminology and classification; general.* (a) The official classification terms defined in §§ 146.9 and 146.10 and the various designs illustrative of the official classifications as reproduced in § 146.10 may be used only by participants and to describe products that have met all the specific requirements of such classifications. (See also § 146.16 (e).)

(b) Products produced under the Plan shall lose their identity under Plan terminology when they are purchased for resale by, or consigned to, non-participants.

(c) Participating flocks and the eggs and poult produced from them may be designated by their own strain or trade name.

(d) Domesticated waterfowl, game birds and guineas meeting the requirements for participation for any of the classifications specified in § 146.10 may be designated as coming within such classification.

§ 146.9 *Terminology and classification; hatcheries.* Participating hatch-

eries and dealers shall be designated as "NTIP Participating."

§ 146.10 *Terminology and classification; flocks and products.* Participating flocks, and the eggs and poult produced from them, which have met the respective requirements specified in this § 146.10 may be designated by the following terms or illustrative designs:

(a) *U. S. Record of Performance.* Males and females meeting prescribed standards as provided in §§ 146.18 and 146.19. (Hatching eggs and poult designated as ROP must also meet the requirements specified in §§ 146.23 and 146.24, respectively.)



FIGURE 10.

(b) *U. S. Performance Tested Parent Stock.* Flocks represented in both a turkey reproduction test as provided for in § 146.29 and in a central turkey meat production test as provided for in § 146.30 by entries that have met the following performance standards:

(1) Average poult production of at least 20 salable poult per hen in eight weeks;

(2) Poult livability of at least 90 percent to eight weeks of age. As an alternative, in case of excessive mortality in the entire test, the entry shall qualify for livability if the livability is above the average of the test.



FIGURE 11.

(c) *U. S. Certified.* Flocks meeting one of the three following specifications:

(1) All males ROP or from ROP mass matings.

(2) Males and females from flocks composed of the following: ROP males or males from ROP mass matings mated to females from ROP qualified matings; or ROP mass matings; or ROP candidate matings in which 50 percent or more of the dam's family qualified for ROP. (Poult produced under this subparagraph for use in U. S. Certified flocks shall be properly identified at hatching time.)

(3) Males and females from Performance Tested Parent Stock. In case the tested stock is a cross of strains, the U. S. Certified flock shall be a combination of the same pure strains as used in the tested flock. (Poult produced under

this subparagraph for use in U. S. Certified flocks shall be properly identified at hatching time.)



FIGURE 12.

(d) *U. S. Approved.* All males and females selected by Authorized Agents according to standards prescribed by the Official State Agency or the State College of Agriculture.



FIGURE 13.

(e) *U. S. Pullorum-Typhoid Passed.* Flocks in which no pullorum or typhoid reactors were found on the last official blood test provided for in § 146.5 (c).



FIGURE 14.

(f) *U. S. Pullorum-Typhoid Clean.* Flocks in which no reactors were found on the first official blood test provided for in § 146.5 (c): *Provided*, That if reactors are found on the first test the flock may qualify with two consecutive official negative tests. In order to sell hatching eggs or poult of this classification, all hatching eggs and poult handled must be of this classification.



FIGURE 15.

§ 146.11 *Supervision.* (a) The Official State Agency may designate qualified persons as Authorized Agents to do

the selecting and blood collecting provided for in §§ 146.5, 146.10, and 146.14.

(b) The Official State Agency shall employ or authorize qualified persons as State Inspectors to perform, or supervise the performance of the selecting and testing of participating flocks and to perform the official inspections necessary to verify compliance with the requirements of the Plan.

§ 146.12 *Inspections.* (a) Each participating hatchery shall be inspected a sufficient number of times each year to satisfy the Official State Agency that the operations of the hatchery are in compliance with the provisions of the Plan.

(b) Each year at least 15 percent of the flocks selected and tested by Authorized Agents shall be inspected by a State Inspector. This must include the inspection of some flocks of each hatchery. Each flock inspection shall include the examination of a sufficient number of males and females to determine whether the work of the Authorized Agent was satisfactory and that the flock is qualified for participation.

§ 146.13 *Debarment from participation.* Non-compliance with the provisions of the Plan, or regulations of the Official State Agency under § 146.2, not corrected within the time specified by the Official State Agency, shall be grounds for the Official State Agency to bar a participant from further participation for a period to be determined in each case by the Official State Agency. Such action shall not be taken until a thorough investigation has been made by the Official State Agency and the participant has been given an opportunity for a hearing.

§ 146.14 *Blood testing.* (a) In the official blood test, the blood shall be drawn by an Authorized Agent or State Inspector and tested by an authorized laboratory, using either the standard tube agglutination or rapid serum test. The recommended procedures for conducting such tests are described in Subpart A, Part 147, of this chapter.

(b) There shall be an interval of at least 21 days between any official blood test and any previous test with pullorum-typhoid antigen.

(c) All turkeys to be used as breeders must be tested when more than four months of age.

(d) All domesticated fowl on the farm of the participant shall either be properly tested to meet the same standards as the participating flock or these birds and their eggs shall be separated from the participating flock and its eggs.

(e) All tests with Salmonella antigens of flocks participating in or candidates for participation in the Plan shall be reported to the Official State Agency within 10 days following the completion of such tests. All reactors shall be considered in determining the classification of the flock.

(f) Reactors may be submitted to a laboratory for autopsy and bacteriological examination. The laboratory and the number of reactors to be submitted shall be designated by the Official State Agency. The recommended minimum procedure for bacteriological examina-

tion is described in Subpart B, Part 147 of this chapter. In case such bacteriological examination fails to demonstrate pullorum or typhoid infection, the flock shall be deemed to have had no pullorum or typhoid reactors. If other members of the Salmonella group are isolated, the Official State Agency may disqualify the flock for participation, or require such other action as is deemed necessary with respect to the infection.

(g) After a flock has been classified by the Official State Agency, the results of any retesting of such flocks during the current breeding and hatching season shall not adversely affect its classification for the season, except that if in the opinion of the Official State Agency the amount of reaction found in any flock is such as to be dangerous or detrimental to the operation of the Plan, the Official State Agency shall require that such flock or flocks be retested after an interval of at least 21 days, or that use of such flocks as sources of eggs for participants be immediately discontinued. Furthermore, the Official State Agency may require that the hatching eggs from such flocks be removed from the incubator and destroyed prior to hatching.

§ 146.15 *USROP; general.* The ROP classification is based on records of egg production, hatchability, and body weight made on the breeder's premises under supervision of the Official State Agency. Records made at State colleges of agriculture and State and Federal experiment stations may be recognized as ROP by Official State Agencies in qualifying birds for use of ROP breeders.

§ 146.16 *USROP; participation.* (a) Any person who, in the opinion of the Official State Agency, has the facilities for conducting a systematic program of turkey breeding is eligible for ROP participation.

(b) The participant's farm and all egg production, pedigree and sales records shall be subject at all times to unannounced inspections by the ROP Inspector.

(c) All young hens of the variety entered which are trapnested on the premises of an ROP participant shall be considered as entered in ROP.

(d) After the first two years of ROP participation, the participant shall maintain at least five candidate matings.

(e) The term "USROP" or "ROP" may be used in advertising products by any person only if he is an ROP participant and if his candidates have met all the requirements of this classification for the current or preceding season.

(f) The participant shall send to the ROP Supervisor not later than the tenth day of each month, a complete report of all trapnesting for the previous month. At the end of each four hatches, he shall also send to the ROP Supervisor on form NPIP 8 (or substitute form) a complete record of all pedigreed eggs set, poult hatched and poult banded.

§ 146.17 *USROP; candidate matings.* These matings shall be comprised of ROP candidate hens and ROP toms to which the following provisions apply:

(a) Each hen shall be identified with an official sealed and numbered band.

(b) Only one tom, or two full brothers, shall be allowed in a mating at any one time and the date of entry and removal of toms shall be properly recorded.

(c) The hens shall be trapnested at regular intervals each day for at least 8 consecutive weeks.

(d) Each egg shall be accurately identified as to the hen that laid it.

(e) For each hen an accurate record shall be kept of (1) the eggs laid during the trapnesting period; (2) the number of eggs sold; (3) the number of eggs incubated; (4) the number of poult hatched; and (5) the number of poult banded.

(f) Each hen shall be weighed by the breeder or the ROP Inspector about the time the candidate begins egg production, and the weight shall be recorded as the nearest whole number.

(g) The poult from these matings shall be banded with sealed and numbered official wing bands marked "Cand".

§ 146.18 USROP; qualification of hens. An ROP candidate hen which is a reasonably good representative of the variety in the judgment of the ROP Inspector, may qualify as an ROP hen if such candidate:

(a) Produces eggs at the rate of at least 50 percent for a period of at least eight consecutive weeks from the date the first normal egg is laid in a trapnest; and

(b) Produces eggs that hatch at the rate of at least 70 percent of all eggs set with a minimum of 20 poult hatched. The qualifying requirements for hatchability may be reduced to 65 percent when eggs are hatched at altitudes of 3,000 to 3,499 feet and to 60 percent at altitudes of 3,500 feet or more. All normal eggs produced by the candidate during a period of at least eight consecutive weeks agreed upon by the breeder and the ROP Supervisor shall be set. Hatchability shall be expressed as a whole number (fractions rounded to the nearest whole number).

§ 146.19 USROP; qualification of toms. Toms may qualify for the ROP classification if they are:

(a) Produced from ROP poult or from candidate hens which subsequently qualify as ROP hens;

(b) Good representatives of the variety with strong constitutional vigor when examined by the ROP Inspector not earlier than at 22 weeks of age; and

(c) Banded with an ROP sealed and numbered leg band when passed by the Inspector.

§ 146.20 USROP; exceptions to requirements for qualification. (a) When any disastrous event occurs that affects the breeder's ROP work, and when such event is immediately brought to the attention of his Official State Agency, this agency may, with the consent of the APH Branch, make an equitable adjustment in the application of the qualifying requirements to such breeder.

(b) To make it possible for a breeder to get started in ROP breeding work within his own strain, during the first year of such work on his farm the tom mated with ROP candidate hens in ROP candidate matings need not be an ROP

tom provided he is of equal pedigree or is a U. S. Approved tom of outstanding quality. Such toms may be used in similar matings during the second year of ROP breeding work, if re-examined and passed by the ROP Inspector. No eggs or progeny from such a mating shall be sold as ROP products. Young toms whose dams qualify for ROP classification may head U. S. Certified flocks owned or controlled by the breeder and may head ROP qualified matings on the breeder's premises.

§ 146.21 USROP; qualified matings. These matings shall be comprised of ROP hens and ROP toms and shall be maintained in accordance with the provisions of § 146.17 (a), (b), (c), (d), and (e).

§ 146.22 USROP; mass matings. (a) These matings shall be comprised of ROP hens with hatchability records of 85 percent or more, and ROP toms produced from hens with hatchability records of 85 percent or more.

(b) Pen egg production and hatchability records shall be kept.

(c) Poult from these matings shall be identified with sealed wing bands marked "Mass mated."

§ 146.23 USROP; hatching eggs. Such eggs shall be from qualified ROP matings. Each egg shall be marked with the number of the ROP hen that laid it and the pen or tom number of the mating.

§ 146.24 USROP; poult. Such poult shall be those produced from ROP hatching eggs. The poult from each hen shall be individually pedigreed by the ROP breeder or ROP Inspector and identified with sealed and numbered official wing bands at the time of hatching.

§ 146.25 USROP; participants producing ROP poult from purchased eggs. Such participants shall:

(a) Within five days after incubation has begun, send to the Official State Agency a list of the ROP eggs purchased;

(b) Within 5 days after hatching time, send to the Official State Agency a list of the poult hatched from each dam and their respective wing band numbers.

§ 146.26 USROP; sale of products. (a) When ROP products are sold the seller shall, at the time of shipment, send to his ROP Supervisor a report in triplicate showing: (1) the name and address of the purchaser; (2) a list of the products sold with the pen or sire number and dam number of each; and (3) the egg production, hatchability and body weight of each dam.

(b) These reports shall be verified by the ROP Supervisor, who shall retain one copy and send one copy to the purchaser and one to the Official State Agency of the State to which the products are shipped.

§ 146.27 USROP; duties of ROP Supervisor. The ROP Supervisor shall represent the Official State Agency in the supervision of ROP participation. He shall:

(a) Keep on file in his office for at least five years a record of (1) all ROP qualified toms, with at least one-genera-

tion pedigree showing ROP records of the female ancestors; (2) all ROP qualified hens, with records of their egg production, hatchability and body weight; (3) all ROP qualified and candidate matings; and (4) all ROP poult with at least one-generation pedigree;

(b) Furnish the APH Branch, for publication, an annual summary of the ROP work under his supervision, which shall include the following information for each flock:

(1) Variety of the entry;

(2) Total number of young hens of this variety on the farm;

(3) Number of ROP candidate matings;

(4) Number of young hens entered for ROP classification;

(5) Number of young hens meeting the ROP requirements;

(6) Percentage of young hens entered meeting the ROP requirements;

(7) Average rate of egg production in percent for all candidate hens;

(8) Average hatchability of all eggs set from all candidate hens.

§ 146.28 USROP; duties of ROP Inspector. The ROP Inspector shall work under the direction of the ROP Supervisor. He shall: (a) Visit and inspect the work of each ROP breeder at least three times each year. (His visits shall be unannounced, and at least two shall be during the trapnest period);

(b) On each visit during the trapnest period (1) do the trapnesting for the day; (2) record the eggs laid by all hens entered for ROP classification; and (3) examine hens apparently out of production and determine whether they are being credited with eggs;

(c) On at least one visit examine all birds in both ROP matings and ROP candidate matings to see that birds in these matings are properly listed with the supervisor;

(d) Compare the number of eggs being incubated from each hen with the number she is credited with having laid during the corresponding period and subsequently with the number of poult reported hatched and wingbanded. (He shall have authority to examine for fertility the eggs being incubated);

(e) Weigh each ROP candidate as provided in § 146.17 (f) or check the weights of a sufficient number of candidates weighed by the breeder to satisfy himself that such weights are correct;

(f) Examine all tom and hen candidates for ROP qualification and band with sealed and numbered leg bands all qualified birds to be used or sold as being of the ROP classification. The body weight and the wing- and leg-band numbers of all toms banded shall be recorded at the time of such examination and banding.

§ 146.29 Turkey reproduction test. A turkey reproduction test is a test of the reproductive (combination of egg production and hatchability) qualities of a representative sample of the entrant's stock conducted under the supervision of the Official State Agency, in accordance with the following provisions:

(a) The test shall be available to any participant whose flock is qualified for

the U. S. Pullorum-Typhoid Clean classification.

(b) The entry shall consist of at least 200 hens, penned separately, which are representative of the entrant's supply flocks or his breeder replacement flocks.

(c) All eggs produced by the entry during a period of at least eight consecutive weeks designated in advance by the entrant, shall be incubated and complete records kept on the number of eggs produced, eggs set and salable poult hatched.

(d) The Official State Agency shall furnish the APH Branch, for publication, the following information for each entry:

(1) Kind of stock (variety, strain or cross; supply flock or breeder replacement);

(2) Number of breeder hens entered and total number in flocks which they represent;

(3) Average number of salable poult produced per hen entered at beginning of test.

§ 146.30 Central turkey meat production test. A central turkey meat production test is a test of a representative sample of the stock of two or more entrants, to fryer-roaster or mature marketing age, conducted under official supervision at a neutral location, in accordance with the following provisions:

(a) The test shall be available to any participant whose flock is qualified for the U. S. Pullorum-Typhoid Clean classification.

(b) The entry shall consist of at least 100 poult, 50 percent of each sex.

(c) A sufficient number of eggs, determined by the entrant, to produce the poult required for the entry shall be selected by a representative of the Official State Agency.

(d) The sample of eggs shall be taken at random from the entrant's supply flocks or from his breeder replacement flocks.

(e) The eggs from all entrants shall be incubated in one hatchery at the same time.

(f) Poult shall be banded in each wing with a sealed and numbered band for identification.

(g) Poult shall be brooded and reared either intermingled or separated by entries, at the option of the test management, provided that varieties of different size or color shall be separated.

(h) The duration of the test shall be determined by the test management.

(i) The following data shall be obtained and reported by the Official State Agency for each entry:

(1) Kind of stock (variety, strain or cross; supply flock or breeder replacement);

(2) Number of breeder hens in the flock or flocks from which egg sample was drawn;

(3) Mortality to two weeks of age; to eight weeks of age; and to the end of the test;

(4) Average live weight (i) of fryer-roaster entry at four weeks of age; at four week intervals thereafter; and at the close of the test; and (ii) of mature marketing entry at eight weeks of age; at 16 weeks of age; at 20 weeks of age;

at two week intervals thereafter; and at the close of the test. (Such average live weights shall be based on individual weights and reported by sexes);

(5) Average eviscerated weight of all birds completing the test, by sexes;

(6) Average breast width, body depth and keel length of the New York dressed birds by sexes (The breast width shall be measured at the widest point $1\frac{3}{4}$ inches above the keel. The body depth shall be measured at the deepest point);

(7) Coefficient of variability of final live and eviscerated weights and body measurements;

(8) The number of birds in each U. S. Grade based on (i) fleshing; (ii) finish; and (iii) freedom from pin feathers, by sexes;

(j) The results of the tests reported to the APH Branch by December 1 shall be published in a national summary alphabetically by test and entries, with no indication of rank.

§ 146.31 On-the-farm turkey meat production test. An on-the-farm turkey meat production test is a test to fryer-roaster or mature marketing age of a representative sample of the entrant's stock conducted under supervision of the Official State Agency to which the following provisions apply:

(a) The test shall be available to any participant whose flock is qualified for the U. S. Pullorum-Typhoid Clean classification.

(b) An entry shall consist of at least 100 poult, either straight-run or 50 percent of each sex.

(c) The sample of poult shall be taken at random from the entrant's supply flocks or from his breeder replacement flocks.

(d) Poult shall be banded in each wing with a sealed and numbered band for identification.

(e) Poult shall be brooded and reared separately from other birds.

(f) The duration of the test shall be determined by the Official State Agency.

(g) The following data shall be obtained and reported by the Official State Agency for each entry:

(1) Kind of stock (variety, strain or cross; supply flock or breeder replacement);

(2) Number of hens in the flock or flocks from which poult sample was drawn;

(3) Percentage of poult started that finished the test;

(4) Average live weight by sexes based on individual weights of all birds at the close of the test;

(5) Average eviscerated weight by sexes of all birds completing the test;

(6) Average breast width, body depth and keel length of the New York dressed birds, by sexes (The breast width shall be measured at the widest point $1\frac{3}{4}$ inches above the keel. The body depth shall be measured at the deepest point);

(7) Coefficient of variability of all weights and body measurements.

¹ The grading will be based on United States Classes, Standards, and Grades for Poultry as contained in 7 CFR Part 70, Subpart B.

(h) The results of the test reported to the APH Branch by December 1, shall be published in a national summary alphabetically by entries, with no indication of rank.

PART 147—AUXILIARY PROVISIONS ON NATIONAL POULTRY AND TURKEY IMPROVEMENT PLANS

SUBPART A—BLOOD TESTING PROCEDURES

- Sec.
147.1 The standard tube agglutination test.
147.2 The rapid serum test.
147.3 The stained-antigen, rapid, whole-blood test.

SUBPART B—BACTERIOLOGICAL EXAMINATION PROCEDURE

- 147.11 Laboratory procedure recommended for the bacteriological examination of reactors.

SUBPART C—PROCEDURE FOR CHANGING NATIONAL POULTRY AND TURKEY IMPROVEMENT PLANS

- 147.21 Definitions.
147.22 General.
147.23 Submitting, compiling and distributing proposed changes.
147.24 Official delegates.
147.25 General Conference Committee.
147.26 Committee consideration of proposed changes.
147.27 Conference consideration of proposed changes.
147.28 Approval of conference recommendations by the Department.

AUTHORITY: §§ 147.1 to 147.28 issued under sec. 101, 58 Stat. 734, as amended; 7 U. S. C. 429.

SUBPART A—BLOOD TESTING PROCEDURES

§ 147.1 The standard tube agglutination test. (a) The blood samples should be collected and delivered as follows:

(1) The blood samples should be taken by properly qualified and authorized persons only, and in containers provided by the laboratory. The containers should be stout-walled test tubes preferable $\frac{3}{8}$ by 3 inches, without lip, or small well-selected medicine vials, which have been thoroughly cleaned and dried in a hot-air drying oven. If stoppers are used they should be thoroughly cleaned and dried.

(2) Sufficient blood should be procured by making a small incision in the large median wing vein with a small sharp lancet and allowing the blood to run into the tube, or by the use of a small syringe (with 20 or 21 gage needle) which is properly cleansed between bleedings with physiological saline solution. To facilitate the separation of the serum the tubes should be placed in a slanted position until the blood has solidified. After the blood has completely clotted, they should be packed and shipped by mail (special delivery), rapid express, or by messenger, to the laboratory. All labeling must be clear and permanent, and may be done with a suitable pencil on etched portions of the tube, or by means of fast-gum labels.

(3) The blood samples must reach the laboratory in a fresh and unhemolyzed

¹ The procedure described is a modification of the method reported in the Proceedings of the United States Live Stock Sanitary Association, November 30 to December 2, 1932, pp. 487 to 491.

condition. Hemolyzed samples should be rejected. It is imperative, therefore, to cool the tubes immediately after slanting and clotting, and unless they reach the laboratory within a few hours, to pack them with ice in special containers, or use some other cooling system which will insure their preservation during transportation. In severe cold seasons, extreme precautions must be exercised to prevent freezing and consequent laking. The samples must be placed in cold (5° to 10° C.) storage, immediately upon arrival at the laboratory.

(b) The antigen shall consist of representative strains of *S. pullorum* which are of known antigenic composition, high agglutinability, but are not sensitive to negative and nonspecific sera. The stock cultures may be maintained satisfactorily by transferring to new sloped agar at least once a month and keeping at 18° to 25° C. (average room temperature) in a dark closet or chest, following incubation for from 24 to 36 hours at 37° C. The antigenic composition and purity of the stock cultures should be checked consistently.

(c) A satisfactory medium which has been used for a long time has the following composition:

Water	1,000 cc.
Difco beef extract	4 gm. (0.4 percent)
Difco Bacto-peptone	10 gm. (1.0 percent)
Difco dry-granular agar	20 gm. (2.0 percent)

Reaction-pH 6.8 to 7.2.

Large 1-inch test tubes, Kolle flasks or Blake bottles should be streaked liberally over the entire agar surface with inoculum from 48-hour slant agar cultures prepared from the stock cultures of the selected strains. The antigen-growing tubes or bottles should be incubated 48 hours at 37° C. and the surface growth washed off with sufficient phenolized (0.5 percent) saline (0.85 percent) solution to make a heavy suspension. The suspension should be filtered free of clumps through a thin layer of absorbent cotton in a Buchner funnel with the aid of suction. The antigens of the separate strains should be combined in equal volume-density and stored in the refrigerator (5° to 10° C.) in tightly stoppered bottles.

(d) Thiosulfate-Glycerin (TG) medium may be used as an alternate medium for the preparation of tube agglutination antigen. The TG medium, formerly used for the preparation of stained, whole-blood antigen, is described in more detail in the article by MacDonald, A. D., Recent Developments in Pullorum Antigen for the Rapid, Whole-Blood Test, Report of the Conference of the National Poultry Improvement Plan, pages 122-127, 1941. This medium provides a tube antigen of excellent specificity and greatly increases the yield of antigen from a given amount of medium. The TG medium has the following composition:

Beef Infusion	1,000 cc.
Difco Bacto-peptone	20 gm. (2.0 percent)
Sodium thiosulfate	5 gm. (0.5 percent)
Ammonium chloride	5 gm. (0.5 percent)
Glycerin, U. S. P. (95 percent)	20 cc. (2.0 percent)
Difco dry-granular agar	30 gm. (3.0 percent)

Reaction-pH 6.8 to 7.2.

Large 1-inch test tubes, Kolle flasks, Blake bottles or Erlenmeyer flasks should be seeded over the entire agar surface with inoculum from 24-hour beef infusion broth cultures prepared from the stock cultures of the selected strains. The antigen-growing tubes or bottles should be incubated 96 hours at 37° C. and the surface growth washed off with sufficient phenolized (0.5 percent) saline (0.85 percent) solution to make a heavy suspension. The suspension should be filtered free of clumps through a thin layer of absorbent cotton in a Buchner funnel with the aid of suction. The antigen should be then centrifuged. The mass of bacteria should be removed from the centrifuge tubes or bowl and resuspended in saline (0.85 percent) solution containing 0.5 percent phenol. After the bacterial mass has been uniformly suspended in the diluent it should be again passed through a cotton pad in a Buchner funnel without the aid of suction. The antigens of the separate strains should be combined in equal volume-density and stored in the refrigerator (5° to 10° C.) in tightly stoppered bottles.

(e) The diluted antigen to be used in the routine testing should be prepared from the stock antigen by dilution of the latter with physiological (0.85 percent) saline solution containing 0.25 percent of phenol to a turbidity corresponding to 0.75-1.00 on the McFarland nephelometer scale. The hydrogen-ion concentration of the diluted antigen should be corrected to pH 8.2 to 8.5 by the addition of dilute sodium hydroxide. New diluted antigen should be prepared each day and kept cold. The diluted antigen may be employed in 2 cc. quantities in 4 by 1/2 inch test tubes or 1 cc. quantities in smaller tubes in which the final serum-antigen mixtures are made and incubated. The distribution of the antigen in the tubes may be accomplished by the use of long burettes, or special filling devices made for the purpose.

(f) The maximum serum dilution employed must not exceed 1:50 for chickens nor 1:25 for turkeys. The available data indicate that 1:25 dilution is the most efficient. In all official reports on the blood test the serum dilutions shall be indicated. The sera should be introduced into the agglutination tubes in the desired amounts with well-cleaned serological pipettes or special serum-delivery devices which do not permit the mixing of different sera. The antigen and serum should be well mixed before incubation. The serum and antigen mixture must be incubated for at least 20 hours at 37° C.

(g) The results shall be recorded as:

- N, or - (negative) when the serum-antigen mixture remains uniformly turbid.
 P, or + (positive) when there is a distinct clumping of the antigen, and the liquid between the agglutinated particles is clear.
 S, or ? (suspicious) when the agglutination is only partial or incomplete.
 M, or missing, when samples listed on the original record sheet are missing.
 H, or hemolyzed, when blood samples are hemolyzed and cannot be tested.
 B, or broken, when sample tubes are broken and no serum can be obtained.

(Some allowance must always be made for the difference in sensitiveness of dif-

ferent antigens and different set-ups, and therefore a certain amount of independent, intelligent judgment must be exercised at all times. Also, the histories of the flocks require consideration. In flocks where individuals show a suspicious agglutination, it is desirable to examine representative birds bacteriologically to determine the presence or absence of *S. pullorum*.)

§ 147.2 The rapid serum test.² (a) The procedure for the collection and delivery of blood samples in the rapid serum test is the same as that described in § 147.1 (a).

(b) The antigen should be prepared as follows: (1) The antigen should consist of representative strains of *S. pullorum* which are of known antigenic composition, high agglutinability, but are not sensitive to negative and nonspecific sera.

(2) A satisfactory medium which has been used for a long time has the following composition:

Water	1,000 cc.
Difco beef extract	4 gm. (0.4 percent)
Difco Bacto-peptone	10 gm. (1.0 percent)
Difco dry-granular agar	20 gm. (2.0 percent)

Reaction-pH 6.8 to 7.2.

(3) Large 1-inch test tubes, Kolle flasks or Blake bottles are streaked liberally over the entire agar surface with inoculum from 48-hour slant-agar cultures prepared from stock cultures of the selected strains. The stock cultures may be maintained satisfactorily by transferring to new sloped agar at least once a month and keeping at 18° to 25° C. in a dark closet or chest, following incubation for from 24 to 36 hours at 37° C. The antigenic composition and purity of the stock cultures should be checked consistently.

(4) The antigen-growing tubes or bottles should be incubated 48 hours at 37° C. and the surface growth washed off with a very slight amount of 12 percent solution of sodium chloride containing 0.25 to 0.5 percent phenol, filtered through lightly packed sterile absorbent cotton placed in the apex of a sterile funnel.

(5) The washings should be adjusted (using 12 percent sodium chloride containing 0.25 to 0.5 percent phenol), so that the turbidity is 50 times greater than tube 0.75 of McFarland's nephelometer or to a reading of 7 mm. by the Gates nephelometer.

(6) The individual strain antigens should be tested with negative sera for their insensitivity and with positive sera for high agglutinability in comparison with known satisfactory antigen. The antigens of the separate strains should be combined in equal volume-density and stored in the refrigerator (5° to 10° C.) in tightly stoppered bottles.

(c) The tests should be conducted on a suitable, smooth plate. The serum-antigen dilution should be made so that the dilution will not exceed 1:50 when compared to the standard tube agglutination test. When testing turkey blood

² The procedure described is a modification of the method reported by Runnels, Coon, Farley, and Thorpe, Amer. Vet. Med. Assoc. Jour. 70 (N. S. 23): 660-662 (1927).

samples it is desirable to use a serum-antigen dilution equivalent to the 1:25 in the tube method. The serum should be added to the antigen and mixed thoroughly by use of the tip of the serum pipette. Most strong positive reactions will be plainly evident within 15 to 20 seconds. The final reading should be made at the end of 2 or 3 minutes. Heating the plate at approximately 37° C. will hasten agglutination. Before reading, the plate should be rotated several times.

(d) The results shall be recorded as:

- N, or — (negative) when the serum-antigen mixture remains uniformly turbid.
- P, or + (positive) when there is a distinct clumping of the antigen, and the liquid between the agglutinated particles is clear.
- S, or ? (suspicious) when the agglutination is only partial or incomplete.
- M, or missing, when samples listed on the original record sheet are missing.
- H, or hemolyzed, when blood samples are hemolyzed and cannot be tested.
- B, or broken, when sample tubes are broken and no serum can be obtained.

(Allowance should be made for differences in the sensitiveness of different antigens and different set-ups, and therefore a certain amount of independent, intelligent judgment must be exercised at all times. Also, the histories of the flocks require consideration. In flocks where individuals show a suspicious agglutination, it is desirable to examine representative birds bacteriologically to determine the presence or absence of *S. pullorum*.)

§ 147.3 *The stained-antigen, rapid, whole-blood test.* (a) The description of the preparation of antigen is not herein included because that product is produced only under license from the Secretary of Agriculture in accordance with specific directions.

(b) A loop for measuring the correct quantity of blood can usually be obtained from the manufacturer of the antigen. A satisfactory loop may be made from a piece of No. 20 gage nichrome wire, 2½ inches long, at the end of which is fashioned a loop three-sixteenths of an inch in diameter. Such a loop when filled with blood, so that the blood appears to bulge, delivers 0.02 cc. A medicine dropper, whose tip is adjusted to deliver 0.05 cc. is used to measure the antigen. A glass plate about 15 inches square providing space for 48 tests has proved satisfactory for this work. The use of such a plate enables the tester to have a number of successive test mixtures under observation without holding up the work to wait for results before proceeding to the next bird.

(c) A drop of antigen should be placed on the testing plate. A loopful of blood should be taken up from the wing vein. When submerged in the blood and then carefully withdrawn, the loop becomes properly filled. On looking down edge-wise at the filled loop, one observes that the blood appears to bulge. The loopful of blood then should be stirred into the drop of antigen and the mixture spread

to a diameter of about 1 inch. The loop then should be rinsed in clean water and dried by touching it to a piece of clean blotting paper, if necessary. The test plate should be rocked from side to side a few times to mix the antigen and blood thoroughly, and to facilitate agglutination. The antigen should be used according to the directions of the producer.

(d) Various degrees of reaction are observed in this as in other agglutination tests. The greater the agglutinating ability of the blood the more rapid the clumping and the larger the clumps. A positive reaction consists of a definite clumping of the antigen surrounded by clear spaces. Such reaction is easily distinguished against a white background. A somewhat weaker reaction consists of small but still clearly visible clumps of antigen surrounded by spaces only partially clear. Between this point and a negative or homogeneous smear there sometimes occurs a very fine granulation barely visible to the naked eye; this should be disregarded in making a diagnosis. The very fine marginal clumping which may occur just before drying up is also regarded as negative. In a non-reactor the smear remains homogeneous. (Allowance should be made for differences in the sensitiveness of different antigens and different set-ups, and therefore a certain amount of independent, intelligent judgment must be exercised at all times. Also, the histories of the flocks require consideration. In flocks where individuals show a suspicious agglutination, it is desirable to examine representative birds bacteriologically to determine the presence or absence of *S. pullorum*.)

SUBPART B—BACTERIOLOGICAL EXAMINATION PROCEDURE

§ 147.11 *Laboratory procedure recommended for the bacteriological examination of reactors.* (a) The pericardial sac, peritoneum, oviduct and any visibly pathological tissues should be cultured on beef extract agar or tryptose agar by means of sterile swabs. Sterile technique should be followed. (Primary culture of these organs in a suitable nutrient broth and transfer to a suitable nutrient agar is optional.)

(b) The following organs should be aseptically collected for culture:

- (1) Heart (apex, pericardial sac, and contents if present.);
- (2) Liver (portions exhibiting lesions or in grossly normal organs the drained gall bladder and adjacent liver tissues.);
- (3) Ovary-Testes (entire inactive ovary or testes but if ovary is active use own judgment and include any atypical ova.);
- (4) Oviduct (if active include any debris and dehydrated ova.);
- (5) Pancreas; and
- (6) Spleen.

(c) A composite sample of the organs listed in § 147.11 (b) should be ground in a sterile mortar or suitable blender. Individual organs may be used if desired. Nutrient broth should be added as a diluent. Ten cc. of this suspension should be inoculated into 100 cc. of either Selenite F broth or Tetrathionate broth and into 100 cc. of a suitable noninhibitory nutrient broth.

(d) After 24 hours incubation at 37° C. a loopful of the broth cultures from each flask should be streaked on a suitable noninhibitory solid medium such as tryptose agar and one of the following selective media: Salmonella-Shigella (SS), MacConkey, Brilliant Green, Bismuth Sulfite, or Desoxycholate Citrate Lactose Sucrose (D. C. L. S.) agar. (All of these media may be obtained in dehydrated form.) If no suspicious colonies are observed after 24 hours incubation the enrichment broths should be restreaked on solid media.

(e) A portion of the crop wall and intestine to include the cecal tonsils are put into either Selenite F or Tetrathionate broth and incubated for 24 hours at 37° C. Transfers should be made from the broth onto agar plates as indicated in § 147.11 (d).

(f) Suspicious single colonies should be subcultured on nutrient agar or triple sugar iron agar slants and incubated for 24 hours at 37° C.

(g) Cultures should be transferred to the following fermentable media for identification: dextrose, lactose, sucrose (saccharose), mannite (mannitol), maltose, dulcitol (dulcitol) and salicin broths. Suitable tests also should be conducted for the detection of indole, hydrogen sulfide, acetylmethylcarbinol, and urease production. Motility or nonmotility is demonstrated by inoculation of a suitable semisolid medium. For the Gram stain a 24 hour nutrient agar slant culture should be used.

(h) All Salmonella cultures isolated should be serologically typed.

SUBPART C—PROCEDURE FOR CHANGING NATIONAL POULTRY AND TURKEY IMPROVEMENT PLANS

§ 147.21 *Definitions.* Except where the context otherwise requires, for the purposes of this subpart the following terms shall be construed, respectively, to mean:

- (a) *NPIP.* The National Poultry Improvement Plan.
- (b) *NTIP.* The National Turkey Improvement Plan.
- (c) *Department.* The United States Department of Agriculture.
- (d) *APH Branch.* The Animal and Poultry Husbandry Research Branch of the Agricultural Research Service of the Department.
- (e) *State.* Any State, the District of Columbia, Alaska, Hawaii, or Puerto Rico.
- (f) *USROP or ROP.* U. S. Record of Performance.

§ 147.22 *General.* Changes in this subchapter shall be made in accordance with the procedure described in this subpart; *Provided*, That the Department reserves the right to make changes in this subchapter without observance of such procedure, whenever, such action is deemed necessary in the public interest.

§ 147.23 *Submitting, compiling and distributing proposed changes.*

(a) Changes in this subchapter may be proposed by any participant, Official State Agency, the Department, or other interested person or industry organization.

* The procedure described is a modification of the method reported by Schaffer, MacDonald, Hall, and Bunyea, Jour. Amer. Vet. Med. Assoc. 79 (N. S. 32): 236-240 (1931).

(b) Except as provided in § 147.25 (d) (1), proposed changes shall be submitted in writing so as to reach the APH Branch not later than 90 days prior to the opening date of the conference, and participants in a Plan shall submit their proposed changes through their Official State Agency.

(c) The name of the proponent shall be indicated on each proposed change when submitted. Each proposal should be accompanied by a brief supporting statement.

(d) The APH Branch will notify all persons on the NPIP and NTIP mailing lists concerning the dates and general procedure of the conference. Hatchery, dealer and ROP participants will be reminded of their privilege to submit proposed changes and to request copies of all the published proposed changes.

(e) The proposed changes, together with the names of the proponents and supporting statements, will be compiled by the APH Branch and issued in processed form. When two or more similar changes are submitted, the APH Branch will endeavor to unify them into one proposal acceptable to each proponent. Copies will be distributed to State officials of the NPIP and NTIP and to ROP participants. Additional copies will be made available for meeting individual requests.

§ 147.24 *Official delegates.* Each State cooperating in the NPIP shall be entitled to one NPIP official delegate, and likewise, each State cooperating in the NTIP shall be entitled to one NTIP official delegate. The official delegates shall be elected by a representative group of participating industry members and be certified by the Official State Agency. It is recommended but not required that the NPIP official delegate be an NPIP participant.

Each official delegate shall endeavor to obtain, prior to the conference, the recommendations of industry members of his State with respect to each proposed change.

§ 147.25 *General Conference Committee.* (a) The General Conference Committee shall consist of the Poultry Coordinator in Charge, National Poultry and Turkey Improvement Plans, APH Branch, and one member to be elected from each of the following regions:

(1) North Atlantic: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

(2) South Atlantic: Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida.

(3) East North Central: Ohio, Indiana, Illinois, Michigan, and Wisconsin.

(4) West North Central: Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas.

(5) Western: Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California.

(6) South Central: Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas.

(b) The committee members will be elected by the NPIP and NTIP official delegates of the respective regions. Each

region shall also elect one alternate member. There shall be at least two nominees for each position and the voting shall be by secret ballot.

(c) Three members shall be elected at each NPIP and NTIP Conference. At the 1954 conference, members were elected for 4-year terms for the North Atlantic, East North Central, and Western regions; whereas members were elected for 2-year terms for the South Atlantic, West North Central, and South Central regions. Thereafter, each member of the committee shall serve for a period of 4 years and may not succeed himself.

(d) The duties of the General Conference Committee are as follows:

(1) Determine whether new proposals (i. e., proposals that have not been submitted as provided in § 147.23) may be considered. New proposals will be considered only with the unanimous consent of the committee.

(2) During the interim between conferences, the committee shall represent the cooperating States in:

(i) Reviewing and giving recommendations regarding the Department's report of changes and editing of this subchapter to include the changes.

(ii) Serving in an advisory capacity with respect to administrative procedures and interpretations of the provisions of this subchapter.

(iii) Recommending such administrative changes as may be necessitated by unforeseen conditions when postponement until the next conference would seriously impair the operation of the program. Such changes shall not affect the basic provisions of this subchapter and shall remain in effect only until confirmed or rejected by the next NPIP and NTIP Conference, or until rescinded by the committee.

(iv) Assisting the APH Branch in formulating plans for the next conference.

§ 147.26 *Committee consideration of proposed changes.* (a) The following six committees shall be established to give preliminary consideration to the proposed changes, falling in their respective fields:

(1) NPIP General Provisions.

(2) NPIP Breeding.

(3) NPIP Disease Control.

(4) NTIP General Provisions.

(5) NTIP Breeding.

(6) NTIP Disease Control.

(b) Each official NPIP delegate shall be appointed a voting member in one of the committees specified in paragraph (a) (1), (2), and (3) of this section and each official NTIP delegate shall be appointed a voting member in one of the committees specified in paragraph (a) (4), (5), and (6) of this section.

(c) Since several of the proposals may be interrelated, the committees shall consider them as they may relate to others, and feel free to discuss related proposals with other committees.

(d) The committees shall make recommendations to the conference as a whole concerning each proposal. The committee report shall show any change in wording and the record of the vote on each proposal, and suggest an effective date for each proposal recommended for adoption. The individual committee reports shall be submitted to the chair-

man of the conference, who will combine them into one report showing, in numerical sequence, the committee recommendations on each proposal.

(e) The committee meetings shall be open to any interested person. Advocates for or against any proposal should feel free to appear before the appropriate committee and present their views.

§ 147.27 *Conference consideration of proposed changes.* (a) The chairman of the conference shall be a representative of the Department.

(b) At the time designated for voting on proposed changes by the official delegates, the chairman of the General Conference Committee and the six committee chairmen shall sit at the speaker's table and assist the chairman of the Conference.

(c) Each committee chairman shall present the proposals which his committee approves or recommends for adoption as follows: "Mr. Chairman. The committee on NPIP General Provisions recommends the adoption of Proposal No. —, for the following reasons: I move the adoption of Proposal No. —." A second will then be called for. If the recommendation is seconded, discussion and a formal vote will follow.

(d) Each committee chairman shall present the proposals which his committee does not approve as follows: "Mr. Chairman. The committee on NPIP General Provisions does not approve Proposal No. —." The chairman will then ask if any official delegate wishes to move for the adoption of the proposal. If moved and seconded, the proposal is subject to discussion and vote. If there is no motion for approval, or if moved, but not seconded, there can be no discussion or vote and the proposal is thereby rejected.

(e) Discussion on any motion must be withheld until the motion has been properly seconded, except that the delegate making the motion is privileged, if he desires, to give reasons for his motion at the time of making it. To gain the floor for a motion or for discussion on a motion, the official delegate in the case of a motion, or anyone in case of discussion on a motion, shall rise, address the chair, give his name and State, and be recognized by the chair before proceeding further. While it is proper to accept motions only from official delegates and to limit voting only to such delegates, it is however, equally proper to accept discussion from anyone interested. To conserve time, discussion should be pointed and limited to the pertinent features of the motion.

(f) Proposals that have not been submitted in accordance with § 147.23 will be considered by the conference only with the unanimous consent of the General Conference Committee. Any such proposals must be referred to the appropriate committee for consideration before being presented for action by the conference.

(g) Voting will be by States and each cooperating State will be allowed one vote. Unless otherwise arranged, the NPIP official delegate shall cast his State's vote on changes affecting the NPIP, and the NTIP official delegate shall cast his State's vote on changes affecting the NTIP.

RULES AND REGULATIONS

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service,
Department of the InteriorSubchapter B—Hunting and Possession of
WildlifePART 8—PROCLAMATIONS AND ORDERS
DESIGNATING AREAS CLOSED TO HUNTING

Basis and purpose. Since the publication of Part 8, Proclamations Designating Areas Closed to Hunting, as a part of Title 50, Code of Federal Regulations, 1949 Edition, several revisions have been

made in the list of areas closed to the hunting of migratory birds by Presidential proclamations or orders signed by the Secretary of the Interior designating such closed areas.

In order that the list may be brought to date it is desirable to revise Part 8 so as to reflect all such areas now closed to hunting.

Effective immediately upon publication in the FEDERAL REGISTER, Part 8, Title 50, Code of Federal Regulations, is amended to read as follows:

§ 8.1 List of areas.

Proclamations and orders		State	Land and waters within boundary of, adjacent to, and in the vicinity of—	Citation
No.	Date			
2325	Mar. 21, 1939	Arkansas.....	Big Lake National Wildlife Refuge.....	3 CFR, Cum. Supp.; 4 F. R. 1399.
2274	Mar. 15, 1938	do.....	White River National Wildlife Refuge.....	3 F. R. 591.
2758	Oct. 22, 1953	Florida.....	St. Marks National Wildlife Refuge.....	18 F. R. 6837.
2758	Dec. 2, 1937	do.....	Sanibel National Wildlife Refuge.....	3 CFR, 1947 Supp.; 12 F. R. 8039.
2329	Apr. 10, 1939	Georgia.....	Savannah National Wildlife Refuge.....	3 CFR, Cum. Supp.; 4 F. R. 1595.
2748	Oct. 1, 1947	Illinois.....	Alexander County.....	3 CFR, 1947 Supp.; 12 F. R. 6521.
2322	Sept. 9, 1953	do.....	do.....	18 F. R. 5495.
2322	Feb. 7, 1939	Louisiana.....	Lacassine National Wildlife Refuge.....	3 CFR, Cum. Supp.; 4 F. R. 611.
2383	Jan. 24, 1940	Maryland.....	Susquehanna National Wildlife Refuge.....	3 CFR, Cum. Supp.; 5 F. R. 813.
2629	Dec. 6, 1941	do.....	do.....	3 CFR, Cum. Supp.; 6 F. R. 6347.
2817	Oct. 18, 1948	Massachusetts.....	Parker River National Wildlife Refuge.....	3 CFR, 1948 Supp.; 13 F. R. 6115.
2593	Sept. 21, 1943	Michigan.....	Anchor Bay, Lake St. Clair.....	3 CFR, 1943 Supp.; 8 F. R. 12921.
2200	Oct. 7, 1936	Montana.....	Red Rock Lakes Migratory Waterfowl Refuge.....	1 F. R. 1799.
2284	May 9, 1938	North Carolina.....	Pea Island National Wildlife Refuge.....	3 F. R. 912.
2129	July 18, 1935	do.....	Swanquarter National Wildlife Refuge.....	49 Stat. 3450.
2859	Oct. 20, 1949	Oregon.....	Malheur National Wildlife Refuge.....	3 CFR, 1949 Supp.; 14 F. R. 6425.
2000	Oct. 16, 1953	do.....	do.....	18 F. R. 6685.
2329	June 6, 1932	South Carolina.....	Cape Romain National Wildlife Refuge.....	47 Stat. 2513.
2478	Apr. 10, 1939	do.....	Savannah National Wildlife Refuge.....	3 CFR, Cum. Supp.; 4 F. R. 1595.
2478	Apr. 15, 1941	Texas.....	Aransas National Wildlife Refuge.....	3 CFR, Cum. Supp.; 6 F. R. 1995.
2012	Sept. 25, 1932	Utah.....	Bear River Migratory Bird Refuge.....	47 Stat. 2535.
2370	Oct. 16, 1939	Virginia.....	Back Bay National Wildlife Refuge.....	3 CFR, Cum. Supp.; 4 F. R. 4285.
2439	Aug. 13, 1954	do.....	Prairie National Wildlife Refuge.....	19 F. R. 6290.
2439	Nov. 7, 1940	Washington.....	Willapa National Wildlife Refuge.....	3 CFR, Cum. Supp.; 5 F. R. 4443.

(Sec. 3, 40 Stat. 755, as amended; 16 U. S. C. 704)

Issued at Washington, D. C., this 2d day of December 1954.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-9670; Filed, Dec. 8, 1954; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization
Service (Farm Marketing
Quotas and Acreage Allotments),
Department of Agriculture

[Amtdt. 1]

PART 722—COTTON

APPORTIONMENT OF STATE ACREAGE ALLOT-
MENT FOR 1955 CROP OF UPLAND COTTON
AMONG COUNTIES

Correction

In the amendment of § 722.616 (e) (F. R. Doc. 54-9486, 19 F. R. 7863) corrections are made as follows:

1. Under Arizona, "Maricopa" should read "Maricopa" and its allotment should read "121,422".

2. Under Louisiana, the State allotment should read "648,442".

3. Under North Carolina, "Hartford" and "Meeklenburg" should read "Hertford" and "Mecklenburg," respectively.

4. Under South Carolina, the allotments for Horry and Kershaw Counties should read "8,889" and "19,888," respectively.

5. Under Texas, "Firo" should read "Frio" and the allotment for Lampasas County should read "2,089".

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce
Commission

Subchapter A—General Rules and Regulations

[S. O. 901]

PART 95—CAR SERVICE

EAST WASHINGTON RAILWAY CO.

At a session of the Interstate Commerce Commission, Division 3, held at its

(h) A roll call of States for a recorded vote will be used when requested by a delegate or at the discretion of the chairman.

(i) All motions on proposed changes shall be for adoption.

(j) Proposed changes shall be adopted by a majority vote of the official delegates present and voting.

(k) The conference shall be open to any interested person.

§ 147.28 *Approval of conference recommendations by the Department.* Proposals adopted by the official delegates will be recommended to the Department for incorporation into the provisions of the NPIP and NTIP. The Department reserves the right to approve or disapprove the recommendations of the conference as an integral part of its sponsorship of the NPIP and NTIP.

The foregoing provisions are based on recommendations of the 1954 National Poultry and Turkey Improvement Plans Conference of representatives of affected poultrymen from all of the States cooperating in the administration of the Plans, and do not deviate in substance from such recommendations except to the extent necessary (1) to reserve to the Department of Agriculture its primary power and responsibility under the legislation authorizing such cooperation, and (2) to make it possible for an ROP participant to produce ROP products within his own strain. Notice of rule-making with respect to the provisions was published in the FEDERAL REGISTER on October 9, 1954 (19 F. R. 6519) and all comments and suggestions received have been carefully considered. The only substantive change from the provisions in the notice constitutes a relieving of restrictions. All affected poultrymen were represented at the Conference and they are aware of the changes in their operations that will be required by the foregoing provisions. The General Conference Committee which functions as the representative of such poultrymen throughout the year has urged that the provisions recommended by the Conference be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that further notice and other public procedure are impracticable, unnecessary, and contrary to the public interest and good cause is found for making the foregoing provisions effective less than 30 days after their publication in the FEDERAL REGISTER.

The reporting and record keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

The foregoing provisions shall become effective December 9, 1954.

Done at Washington, D. C., this 3d day of December 1954.

[SEAL]

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 54-9737; Filed, Dec. 8, 1954; 8:53 a. m.]

office in Washington, D. C., on the 3d day of December A. D. 1954.

It appearing that due to the program of the District of Columbia in building on Kenilworth Avenue a part of the freeway between Washington and Baltimore, the Public Utility Commission granted authority to the Capital Transit Company to abandon its tracks between a point just north of Foote Street, Northeast, and the tracks of East Washington Railway Company on or near Deane Avenue, Northeast, in the District of Columbia; that the East Washington Railway Company under Finance Docket No. 18767 has applied to the Commission for authority to extend its operations so as to include freight-switching service over the portion of track which the Capital Transit Company seeks to abandon; and that both carriers have agreed thereto; the Commission is of the opinion that there is need for freight-switching service at the points now served by the Capital Transit Company pending action of the Commission in Finance Docket No. 18767, and that the operation by the East Washington Railway Company, over the line of railroad which the Capital Transit Company seeks to abandon, will best promote the service in the interest of the public and the commerce of the people: *It is ordered, that:*

§ 95.901 *East Washington Railway Company—(a) Car Service.* The East Washington Railway Company be, and it is hereby authorized to perform freight-switching service over the tracks of the Capital Transit Company north of Foote Street, Northeast, and tracks of East Washington Railway Company on or near Deane Avenue, Northeast, in the District of Columbia, in order to serve those industries formerly served by the Capital Transit Company.

(b) *Application.* The provisions of this section shall apply to intrastate and foreign traffic as well as interstate traffic.

(c) *Effective date.* This section shall become effective at 11:59 p. m., December 3, 1954.

(d) *Expiration date.* The provision of this section shall expire at 11:59 p. m., February 3, 1955, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that copies of this order and direction shall be served upon the Public Utilities Commission, District of Columbia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12)

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9701: Filed, Dec. 8, 1954;
8:49 a. m.]

No. 238—3

Subchapter A—General Rules and Regulations

PART 141—FREIGHT SCHEDULES

PART 145—PASSENGER SERVICE SCHEDULES

PART 147—EXPRESS COMPANY SCHEDULES AND CLASSIFICATIONS

Subchapter B—Carriers by Motor Vehicle

PART 186—PASSENGER AND EXPRESS TARIFFS AND SCHEDULES

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

Subchapter C—Carriers by Water

PART 311—PASSENGER TARIFFS OF COMMON CARRIERS BY WATER

PART 312—FREIGHT TARIFFS AND SCHEDULES

REJECTION OF FREIGHT AND PASSENGER TARIFFS AND SCHEDULES AND REJECTION OF NOTICES OF REVOCATION OF CONCURRENCE OR POWERS OF ATTORNEY

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 1st day of November A. D. 1954.

It appearing that on April 6, 1954, notice to the public was given of proposed changes to be made in the regulations governing the rejection of freight and passenger tariffs and schedules and the rejection of notices of revocation of concurrence or powers of attorney; that written statements containing data, views or arguments have been received, and that full consideration has been given to all of the matters and things involved:

It is ordered, That Part 187 of this title, Freight Rate Tariffs, Schedules, and Classifications, be amended by deleting from § 187.23 present paragraph (c) and also by redesignating present paragraph (d) as paragraph (c).

It is further ordered, That the following regulations governing the rejection of freight and passenger tariffs and schedules and the rejection of notices of revocation of concurrence or powers of attorney are hereby approved and prescribed for all carriers of property and passengers subject to Parts I, II, and III of the Interstate Commerce Act.

It is further ordered, That Part 141 of this title, Freight Schedules, Part 145 of this title, Passenger Service Schedules, Part 147 of this title, Express Company Schedules and Classifications, Part 187 of this title, Freight Rate Tariffs, Schedules, and Classifications, and Part 311 of this title, Passenger Tariffs of Common Carriers by Water, be amended by the deletion of the title and entire text of §§ 141.14 (e), 145.41 (m), 147.14 (e), 187.44 (i), and 311.13, respectively, and the substitution in each instance in lieu thereof of the following:

Rejection of tariffs and notices of revocation. (1) Any tariff or schedule, tendered for filing, which fails to give lawful notice of changes in rates, charges or other provisions which it proposes to establish, or which fails to meet the requirements of the regulations contained in this chapter, or violates any order of the Commission or of a court, is subject to rejection by the Commission. When a tariff or schedule is rejected, the Com-

mission, acting through a designated administrative officer, will inform the carrier or the agent who tendered it for filing, in writing, of the reasons for rejection, and will return the rejected tariff or schedule to such carrier or agent.

(2) The number assigned to a tariff or schedule which has been rejected may not again be used. The rejected tariff or schedule may not be referred to in any subsequent tariff or schedule as having been canceled, amended or withdrawn, but the tariff or schedule which is published in its stead must bear the following notation: "Issued in lieu of (here identify the rejected schedule or tariff), rejected by the Commission."

(3) A notice of the revocation, complete or partial, of a concurrence or power of attorney which, if it were to become effective, would require the establishment of rates, fares, or charges in violation of an order of the Commission or of a court, or of the regulations in this chapter, may be rejected in the same manner as a tariff or schedule, and any such notice of revocation which would require the establishment of rates, fares, or charges of doubtful lawfulness may be suspended.

It is further ordered, That Part 186 of this title, Passenger and Express Tariffs and Schedules, and Part 312 of this title, Freight Tariffs and Schedules, be amended by the addition of new sections designated as § 186.16 in Part 186, and § 312.11 in part 312, each such new section to be titled "Rejection of tariffs and notices of revocation" and to include the following:

(a) Any tariff or schedule, tendered for filing, which fails to give lawful notice of changes in rates, charges or other provisions which it proposes to establish, or which fails to meet the requirements of the regulations contained in this chapter, or violates any order of the Commission or of a court, is subject to rejection by the Commission. When a tariff or schedule is rejected, the Commission, acting through a designated administrative officer, will inform the carrier or the agent who tendered it for filing, in writing, of the reasons for rejection, and will return the rejected tariff or schedule to such carrier or agent.

(b) The number assigned to a tariff or schedule which has been rejected may not again be used. The rejected tariff or schedule may not be referred to in any subsequent tariff or schedule as having been canceled, amended or withdrawn, but the tariff or schedule which is published in its stead must bear the following notation: "Issued in lieu of (here identify the rejected schedule or tariff), rejected by the Commission."

(c) A notice of the revocation, complete or partial, of a concurrence or power of attorney which, if it were to become effective, would require the establishment of rates, fares, or charges in violation of an order of the Commission or of a court, or of the regulations in this chapter, may be rejected in the same manner as a tariff or schedule, and any such notice of revocation which would require the establishment of rates, fares or charges of doubtful lawfulness may be suspended.

It is further ordered, That Part 187 of this title, Freight Rate Tariffs, Schedules, and Classifications, and Part 312 of this title, Freight Tariffs and Schedules, be amended by the addition of new sections designated as § 187.11 in Part 187, and § 312.108 in Part 312, each such new section to be titled "Rejection of tariffs or schedules" and to include the following:

(a) Any tariff or schedule, tendered for filing, which fails to give lawful notice of changes in rates, charges or other provisions which it proposes to establish, or which fails to meet the requirements of the regulations contained in this chapter, or violates any order of the Commission or of a court, is subject to rejection by the Commission. When a tariff or schedule is rejected, the Commission, acting through a designated administrative officer, will inform the carrier

or the agent who tendered it for filing, in writing, of the reasons for rejection, and will return the rejected tariff or schedule to such carrier or agent.

(b) The number assigned to a tariff or schedule which has been rejected may not again be used. The rejected tariff or schedule may not be referred to in any subsequent tariff or schedule as having been canceled, amended or withdrawn, but the tariff or schedule which is published in its stead must bear the following notation: "Issued in lieu of (here identify the rejected schedule or tariff), rejected by the Commission."

It is further ordered, That this order shall become effective on the 30th day of January A. D. 1955.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy hereof

in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended, 49 Stat. 546, as amended; 49 U. S. C. 12, 304. Interpret or apply secs. 5, 6, 24 Stat. 380, as amended, 49 Stat. 560, as amended; 49 U. S. C. 5, 6, 317)

(49 Stat. 546, as amended; 49 U. S. C. 304. Interpret or apply 49 Stat. 560, as amended, 561, as amended; 49 U. S. C. 317, 318)

(54 Stat. 933; 49 U. S. C. 904. Interpret or apply 54 Stat. 935; 49 U. S. C. 908)

By the Commission, Division 2.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9702; Filed, Dec. 8, 1954;
8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 953]

LEMONS GROWN IN CALIFORNIA AND ARIZONA

EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1954-55 FISCAL YEAR

Consideration is being given to the following proposals submitted by the Lemon Administrative Committee, established pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses not to exceed \$139,258.00 will be necessarily incurred during the fiscal year ending October 31, 1955, for the maintenance and functioning of the committee established under the aforesaid amended marketing agreement and order, and (2) that the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler who first handles lemons shall pay in accordance with the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at \$0.0175 per packed box of lemons, or an equivalent quantity of lemons, handled by him as the first handler thereof during said fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the close of business on

the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

Terms used herein shall have the same meaning as when used in said amended marketing agreement and order.

Dated: December 3, 1954.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 54-9732; Filed, Dec. 8, 1954;
8:53 a. m.]

[7 CFR Part 994]

HANDLING OF PECANS GROWN IN GEORGIA, ALABAMA, FLORIDA, MISSISSIPPI, AND SOUTH CAROLINA

PROPOSED ADMINISTRATIVE RULE TO PERMIT MAIL VOTING IN CONNECTION WITH NOMINATION ELECTIONS FOR MEMBERS OF THE PECAN ADMINISTRATIVE COMMITTEE AND HANDLERS ADVISORY COUNCIL

Notice is hereby given that the Department is considering the issuance of the administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 111 and Order No. 94 regulating the handling of pecans grown in Georgia, Alabama, Florida, Mississippi, and South Carolina (7 CFR, 1953 Rev., Part 994), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such rule consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER, except that if such day should fall on a holiday,

Saturday, or Sunday, such submission may be received by the Director not later than the close of business on the next following work day.

Section 994.2 (a) (4) (i) of the aforesaid agreement and order prescribes that prior to April 30 of each year the Secretary shall hold, or cause to be held, a meeting or meetings of growers in each district for the purpose of designating nominees for members of the Pecan Administrative Committee. Said section also provides among other things that in obtaining such nominations all growers shall be given a reasonable opportunity to vote. Section 994.2 (b) (4) (i) of the agreement and order prescribes a similar procedure for the nomination of Handler Advisory Council members.

The Department has conducted separate nomination meetings for producers and handlers in each of the nine districts each year under a procedure whereby the voting is confined to those who are actually present at such meeting. However, it now appears that this procedure is unsatisfactory, in that the attendance at these meetings has been very limited. This is presumably due, in large part, to the fact that, in view of the size of the several districts, many growers and handlers reside at considerable distances from the meeting places. The result has been that there have not been reasonably representative groups of the two categories at such meetings and the nominees have been elected by extremely small percentages of the growers and handlers, respectively.

It is believed that participation in these nomination elections would be increased greatly if, in addition to considering the vote of those actually present at such meetings, there should also be considered the mail vote of those eligible to vote who are unable to attend. Such implementation of the present procedure is not deemed to be inconsistent with the provisions of § 994.2 (a) (4) (i) and (b) (4) (i) and is deemed to be a permis-

sible implementation by way of the prescription of additional rules and regulations in this regard, as authorized in those sections.

The proposed rule is as follows:

§ 994.201 *Additional procedural rules and regulations for nomination elections in connection with the Pecan Administrative Committee and the Handlers Advisory Council.* In addition to the procedure in this regard which is prescribed in § 994.2 (a) (4) (i) and (b) (4) (i) the Secretary, through his authorized representative, shall at least 15 days before a nomination election meeting for a particular district is to be held, mail to each grower of record in that district or to each handler of record in that district, as the case may be, a notice of the time, date, and place of such meeting and a ballot form for the use of such grower or handler in voting by mail in the event he elects not to attend such meeting and cast his ballot personally. Such ballot form shall provide for voting for each position to be filled separately and shall contain a blank space in which the voter may indicate his choice for that position. Mail ballots executed and signed by the voter, and received by the representative of the Secretary prior to the time at which the particular meeting is scheduled to begin will be considered the same as ballots which are cast personally at that meeting.

Issued at Washington, D. C., this 3d day of December 1954.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 54-9733; Filed, Dec. 8, 1954;
8:53 a. m.]

[7 CFR Part 994]

HANDLING OF PECANS GROWN IN GEORGIA, ALABAMA, FLORIDA, MISSISSIPPI AND SOUTH CAROLINA

EXPENSES OF PECAN ADMINISTRATIVE COMMITTEE AND RATE OF ASSESSMENT FOR FISCAL PERIOD BEGINNING OCTOBER 1, 1954

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 111 and Order No. 94, regulating the handling of pecans

grown in Georgia, Alabama, Florida, Mississippi, and South Carolina (7 CFR, 1953 Rev., Part 994), effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such rule, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business of the 10th day after publication of this notice in the FEDERAL REGISTER, except that if the 10th day after publication should fall on a holiday, Saturday, or Sunday, such submission may be received by the Director not later than the close of business of the next following work day.

Pursuant to the provisions of the aforesaid agreement and order the Pecan Administrative Committee, the administrative agency thereunder, has recommended a budget of expenses of \$21,000 and an assessment rate of 35 cents per hundred pounds of pecans handled for the fiscal period beginning October 1, 1954. In making the foregoing recommendations, the Committee took into account the possibility that only about 6,000,000 pounds of pecans will be handled for distribution as unshelled pecans during the aforesaid fiscal period. The proposed rate of assessment of 35 cents per hundred pounds of pecans handled, when applied to this quantity, would provide sufficient funds to cover the proposed expenses of \$21,000. Such expenses and rate of assessment appear to be reasonable.

The proposed rule is as follows:

§ 994.305 *Expenses for the fiscal period beginning October 1, 1954, and rate of assessment—*(a) *Expenses.* Expenses in the amount of \$21,000 are reasonable and likely to be incurred by the Pecan Administrative Committee for its maintenance and functioning during the fiscal period beginning October 1, 1954; and

(b) *Rate of assessment.* The rate of assessment to be paid, in accordance with the applicable provisions of said marketing agreement and order, by each handler who first handles unshelled pecans shall be 35 cents per hundred pounds of assessable unshelled pecans handled by him as the first handler thereof during

the fiscal period beginning October 1, 1954.

Issued at Washington, D. C., this 3d day of December 1954.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 54-9734; Filed, Dec. 8, 1954;
8:53 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 154]

[Docket No. R-142]

GAS RATES CHARGED BY INDEPENDENT PRODUCERS

NOTICE OF CHANGE OF DATES

DECEMBER 2, 1954.

Consideration of principles and methods to be applied in the fixing of rates to be charged by Independent Producers for Natural Gas sold in Interstate Commerce for resale.

On November 17, 1954, the Commission issued a notice of proposed rule making in the above-entitled matter, fixing oral argument for 10:00 a. m., e. s. t., on December 15, 1954, and requesting that any person desiring to participate in the oral argument notify the Secretary of the Commission on or before December 3, 1954, of such intention and of the amount of time desired for presentation of argument. The notice also invited any persons interested to submit written comments (original and nine copies) to the Secretary of the Commission by December 13, 1954.

In order to accommodate numerous interested persons who desire more time to prepare for the argument, notice is hereby given that the times specified in said notice are changed as follows: The oral argument will be held at 10:00 a. m., e. s. t., on January 11, 1955, in the Commission's hearing room, 441 G Street NW., Washington, D. C., and persons desiring to participate shall notify the Secretary on or before December 30, 1954. The time for submission of written comments shall be not later than January 7, 1955.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9685; Filed, Dec. 8, 1954;
8:47 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

CHIEF ENGINEER

DELEGATION OF AUTHORITY WITH RESPECT TO CONTRACTS FOR PROCUREMENT OF ENGINEERING AND ARCHITECTURAL SERVICES

SECTION 1. The Chief Engineer is authorized to exercise the authority delegated to the Secretary of the Interior by

the Administrator of General Services (19 F. R. 7422) and redelegated to the Bonneville Power Administrator by Secretary's Order No. 2774 (19 F. R. 7625) to enter into contracts for engineering and architectural services in connection with the activities of the Bonneville Power Administration, without advertising pursuant to section 302 (c) (4) and (9) of the Federal Property Administrative Services Act of 1949, as amended (41 U. S. C., 1952 ed., Sec. 252), subject

to all provisions of Title III of the said act with respect to negotiated contracts, and to all other provisions of law.

SEC. 2. This authority may not be redelegated.

(Secretary's Order No. 2774, 19 F. R. 7625)

Dated: December 1, 1954.

WM. A. PEARL,
Administrator.

[F. R. Doc. 54-9669; Filed, Dec. 8, 1954;
8:45 a. m.]

Bureau of Land Management

[Document 15]

ARIZONA

STOCK DRIVEWAY NO. 164, ARIZONA NO. 6,
MODIFIED

DECEMBER 1, 1954.

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865) as amended (43 U. S. C. 300), and in section 7 of the act of June 28, 1934 (48 Stat. 1272) as amended (43 U. S. C. 315f), and pursuant to the authority delegated to me by the Director, Bureau of Land Management, in Order No. 541 of April 21, 1954 (19 F. R. 2473), it is ordered as follows:

Departmental Order of June 13, 1923, as amended July 29, 1924, February 27, 1952, and January 29, 1954, establishing and modifying Stock Driveway No. 164, Arizona No. 6, is hereby modified to include the following described public lands in Arizona, which are hereby classified as necessary and suitable for stock driveway purposes, and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 8 E.,
Sec. 8: S½;
Sec. 9: S½;
Sec. 10: S½;
Sec. 11: SW¼;
Sec. 14: W½;
Sec. 23: W½.

The areas described total 1,760 acres of public land.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 54-9674; Filed, Dec. 8, 1954;
8:45 a. m.]

[Document 16]

ARIZONA

NOTICE OF FILING OBJECTIONS TO MODIFICATION OF STOCK DRIVEWAY NO. 164, ARIZONA NO. 6

DECEMBER 1, 1954.

An order, Document No. 15, Arizona modifying Stock Driveway No. 164, Arizona No. 6, has been published this date in the FEDERAL REGISTER.

For a period of 30 days from the date of publication of that order, persons having cause to object to the terms thereof may file their objections in the office of the State Supervisor, Bureau of Land Management, Room 233-A Main Post Office Building, Phoenix, Arizona. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents of the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of a determination as to whether the order should be rescinded or modified, or let stand,

will be given to all interested parties of record and the general public.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 54-9675; Filed, Dec. 8, 1954;
8:45 a. m.]

[Document 17]

ARIZONA

STOCK DRIVEWAY NO. 164; ARIZONA NO. 6,
MODIFIED

DECEMBER 1, 1954.

By virtue of the authority contained in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1924, 45 Stat. 1144 (43 U. S. C. 300), and in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315f), and pursuant to the authority delegated to me by the Director, Bureau of Land Management in Order No. 541 of April 21, 1954 (19 F. R. 2473), it is ordered as follows:

The order of the Secretary of the Interior, dated June 13, 1923, as amended July 29, 1924, February 27, 1952 and January 29, 1954, establishing and modifying Stock Driveway No. 164, Arizona No. 6, is hereby revoked insofar as it affects the following described lands:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 8 E.,
Sec. 16: SW¼;
Sec. 22: S½;
Sec. 27: NE¼.

The areas described aggregate 640 acres.

The above described lands have been classified in Arizona Small Tract Classification Orders No. 29 and 30, dated December 1, 1954, for lease and sale for homesites only under the small tracts act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a).

Information as to preference right filing period for Veterans of World War II, the Korean Conflict, and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), may be obtained from the Manager, U. S. Land Office, Room 251, Main Post Office Building, Phoenix, Arizona.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 54-9676; Filed, Dec. 8, 1954;
8:45 a. m.]

[Document 18]

ARIZONA

SMALL TRACT CLASSIFICATION ORDER NO. 29

DECEMBER 1, 1954.

1. Pursuant to authority delegated to the State Supervisors by section 2.5 of Redelegation Order No. 541, dated April 21, 1954 (19 F. R. 2473) by the Director, Bureau of Land Management, the following described lands are hereby classified for lease and sale under the Small

Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, for home sites only:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 8 E., Pinal County, Arizona,
Sec. 13: S½;
Sec. 22: NE¼.

The lands described comprise 192 small tracts and contain a total area of 480 acres.

2. The lands are located approximately 16 miles east of Mesa and 34 miles east of Phoenix near the junction of Arizona State Highway No. 88 (Apache Trail), and U. S. Highway No. 60-70-80-89. The topography is level to rolling and the lands have an elevation of approximately 1,800 feet above sea level. The average annual precipitation is approximately 9 inches. The temperature varies from a high of 113° F. in summer to a low of 25° F. in winter.

3. The lands will be leased and sold in approximately 2½-acre tracts with a limitation of one tract to each successful applicant. Access to public highways from the tracts will be afforded by a reservation of rights-of-way along the boundary of each tract for road or public utility facilities which will not exceed 33 feet in width.

4. As to applications filed on these lands prior to 10:00 a. m. June 30, 1948, this order shall become effective upon the date it is signed, provided such applications are made to conform to the provisions of this order as to area.

Such preference right applicants whose applications do not conform to this order will be allowed to select 2½ acres of the land included in their original application that will conform to this order.

5. This order shall not otherwise become effective to change the status of such lands until 10:30 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application under the small tract act as follows:

(a) Ninety-one-day period for preference-rights filings: For a period of 91 days, commencing at the hour and on the date specified above, the public lands affected by this order shall be subject to application by qualified veterans of World War II and the Korean Conflict. All applications filed under this paragraph, either on or before 10:30 a. m. on the 35th day after the date of this order, shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:30 a. m. on the 35th day shall be considered in the order of filing.

(b) Commencing at 10:30 a. m. on the 126th day after the date of this order any lands remaining shall become subject to application under the small tract act by the public generally. All such applications filed, either on or before 10:30 a. m. on the 126th day, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter, shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostat, or

other copy, (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitute evidence of any facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference right through settlement or otherwise and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. Leases for homesites will be issued for a period of three years at an annual rental of \$5.00, payable in advance for the entire lease period. The leases issued will provide an option to purchase at the appraised value of \$225.00 per tract in said Section 13, and \$250.00 per tract in said Section 22.

(a) Application for purchase may be filed during the term of the lease but not more than 30 days prior to the expiration one year from the date of the lease, provided the minimum improvements consisting of a habitable house of substantial construction with at least two rooms and a minimum floor area of 300 square feet.

(b) Leases issued under the terms of this order shall not be subject to assignment unless and until improvements, as mentioned in (a) above, shall have been made.

(c) Leases for lands upon which the improvements mentioned in (a) above shall not have been constructed at or before the expiration date thereof, shall not be renewed.

7. The lessees and/or their successors in interest shall comply with all Federal, State, County, and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized officer of the Bureau of Land Management.

8. All inquiries relating to these lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 251, Main Post Office Building, Phoenix, Arizona.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 54-9677; Filed, Dec. 8, 1954;
8:45 a. m.]

[Document 19]

ARIZONA

SMALL TRACT CLASSIFICATION ORDER NO. 30

DECEMBER 1, 1954.

1. Pursuant to authority delegated to the State Supervisors by section 2.5 of Redesignation Order No. 541, dated April 21, 1954 (19 F. R. 2473) by the Director, Bureau of Land Management, the following described lands are hereby classi-

fied for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, for home sites only:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 8 E., Pinal County, Arizona.

Sec. 13: E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 16: SW $\frac{1}{4}$;

Sec. 22: W $\frac{1}{2}$, SE $\frac{1}{4}$;

Sec. 27: NE $\frac{1}{4}$.

The lands described comprise 352 small tracts and contain a total of 880 acres.

2. The lands are located approximately 16 miles east of Mesa and 34 miles east of Phoenix near the junction of Arizona State Highway No. 88 (Apache Trail), and U. S. Highway No. 60-70-80-89. The topography is level to rolling and the lands have an elevation of approximately 1,800 feet above sea level. The average annual precipitation is approximately 9 inches. The temperature varies from a high of 113° F. in summer to a low of 25° F. in winter.

3. The lands will be leased and sold in approximately 2 $\frac{1}{2}$ -acre tracts with a limitation of one tract to each successful applicant. Access to public highways from the tracts will be afforded by a reservation of rights-of-way along the boundary of each tract for road or public utility facilities which will not exceed 33 feet in width.

4. As to applications filed on lands in Sections 13, 22, and 27 prior to 9:50 a. m., November 22, 1954, this order shall become effective upon the date it is signed, provided such applications are made to conform to the provisions of this order as to area.

(a) As to applications filed on lands in Section 16 prior to 11:35 a. m., November 29, 1954, this order shall become effective upon the date it is signed, provided such applications are made to conform to the provisions of this order as to area.

Such preference right applicants whose applications do not conform to this order will be allowed to select 2 $\frac{1}{2}$ acres of the land included in their original application that will conform to this order.

5. This order shall not otherwise become effective to change the status of such lands until 10:30 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application under the small tract act as follows:

(a) Ninety-one day period for preference-rights filings: For a period of 91 days, commencing at the hour and on the date specified above, the public lands affected by this order shall be subject to application by qualified veterans of World War II and the Korean Conflict. All applications filed under this paragraph, either on or before 10:30 a. m., on the 35th day after the date of this order, shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:30 a. m., on the 35th day shall be considered in the order of filing.

(b) Commencing at 10:30 a. m. on the 126th day after the date of this order, any lands remaining shall become subject to application under the small tract act by the public generally. All such applications filed, either on or before 10:30 a. m., on the 126th day, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter, shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostat, or other copy, (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitute evidence of any facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference right through settlement or otherwise and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. Leases for homesites will be issued for a period of three years at an annual rental of \$5.00, payable in advance for the entire lease period. The leases issued will provide for an option to purchase at the appraised value of \$225.00 per tract in said Section 13, and \$250.00 per tract in said Sections 16, 22, and 27.

(a) Application for purchase may be filed during the term of the lease but not more than 30 days prior to the expiration one year from the date of the lease, provided the minimum improvements consisting of a habitable house of substantial construction with at least two rooms and a minimum floor area of 300 square feet.

(b) Leases issued under the terms of this order shall not be subject to assignment unless and until improvements, as mentioned in (a) above, shall have been made.

(c) Leases for lands upon which the improvements mentioned in (a) above shall not have been constructed at or before the expiration date thereof, shall not be renewed.

7. The lessees and/or their successors in interest shall comply with all Federal, State, County and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized officer of the Bureau of Land Management.

8. All inquiries relating to these lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 251, Main Post Office Building, Phoenix, Arizona.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 54-9678; Filed, Dec. 8, 1954;
8:45 a. m.]

NORTH DAKOTA AND SOUTH DAKOTA
NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS; CORRECTION

DECEMBER 3, 1954.

Notice of Proposed Withdrawal and Reservation of Lands dated November 19, 1954 (F. R. Doc. 54-9301; 19 F. R. 7622) is hereby corrected.

Following Section 25, T. 6 N., R. 29 E., the following description should be inserted: T. 7 N., R. 29 E.

R. D. NIELSON,
State Supervisor.

[F. R. Doc. 54-9679; Filed, Dec. 8, 1954;
8:46 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

NOVEMBER 23, 1954.

Notice is given that the plat of original survey of the following described lands, accepted May 6, 1954, will be officially filed in the Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

SALT LAKE MERIDIAN

T. 25 S., R. 6 E.,
Sections 1 to 36 inclusive.

The area described aggregates 22,949.15 acres.

The area is rolling and broken, and the soil varies between sand, clay shale, and rock. There is no timber in the area. The undergrowth consists of desert shrubs and grasses.

No applications for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this para-

graph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Salt Lake City, Utah.

WM. N. ANDERSEN,
State Supervisor.

[F. R. Doc. 54-9680; Filed, Dec. 8, 1954;
8:46 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

NOVEMBER 23, 1954.

Notice is given that the plat of original survey of the following described lands, accepted May 6, 1954, will be officially filed in the Land Office, Salt Lake City,

Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

SALT LAKE MERIDIAN

T. 24 S., R. 7 E.,
Sections 1 to 36 inclusive.

The area described aggregates 21,102.58 acres.

The area is rolling with broken sandstone and shale breaks. The soil varies between clay, sand, and rock. Timber in the area is very scattered consisting of scrub juniper. The undergrowth consists of scattered desert shrubs and grasses.

No application for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official

document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Salt Lake City, Utah.

WM. N. ANDERSEN,
State Supervisor.

[F. R. Doc. 54-9681; Filed, Dec. 8, 1954;
8:46 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY NOVEMBER 23, 1954.

Notice is given that the plat of original survey of the following described lands, accepted May 6, 1954, will be officially filed in the Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

SALT LAKE MERIDIAN

T. 25 S., R. 7 E.,
Sections 1 to 36 inclusive.

The area described aggregates 22,983.70 acres.

The area is rolling and broken desert, and the soil varies between clay, sand, and rock. There is no timber in the area. The undergrowth consists of scattered desert shrubs.

No application for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the

Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Salt Lake City, Utah.

WM. N. ANDERSEN,
State Supervisor.

[F. R. Doc. 54-9682; Filed, Dec. 8, 1954;
8:46 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

NOVEMBER 23, 1954.

Notice is given that the plat of original survey of the following described lands accepted May 6, 1954, will be officially filed in the Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

SALT LAKE MERIDIAN

T. 23 S., R. 7 E.,
Sections 1 to 36 inclusive.

The area described aggregates 22,313.67 acres.

The area is rolling, rough, rocky, and broken and the soil varies between clay and rock. There is no timber in the area. The undergrowth consists of low scattered desert shrubs.

No application for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simul-

taneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Salt Lake City, Utah.

WM. N. ANDERSEN,
State Supervisor.

[F. R. Doc. 54-9683; Filed, Dec. 8, 1954;
8:46 a. m.]

OREGON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

NOVEMBER 24, 1954.

An application, serial number Oregon 03566, for the withdrawal from all forms of appropriation under the general mining laws, of the lands described below was filed on September 7, 1954, by United States Forest Service, Department of Agriculture. The purposes of

the proposed withdrawal: Administrative site.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior at Post Office Box 3861, 1001 NE. Lloyd Blvd., Portland 8, Oregon. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

T. 15 S., R. 9 W.,

Sec. 16: W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Total area: 35 acres.

The land is situated within the limits of the Siuslaw National Forest and appears to be suitable for the purpose for which the withdrawal is requested.

RUSSELL E. GETTY,
Acting State Supervisor.

[F. R. Doc. 54-9731; Filed, Dec. 8, 1954;
8:52 a. m.]

Office of the Secretary

[Order 2775]

DIRECTOR, NATIONAL PARK SERVICE

DELEGATION OF AUTHORITY WITH RESPECT TO DISPOSAL OF REAL PROPERTY ADJACENT TO OLYMPIC NATIONAL PARK, WASHINGTON

DECEMBER 2, 1954.

SECTION 1. The authority delegated to the Secretary of the Interior by the Administrator of General Services on September 27, 1954 (19 F. R. 6358), pursuant to authority vested in the Administrator by the Federal Property and Administrative Services Act of 1949, as amended (herein called the act), to determine that certain property, aggregating approximately 6,800 acres of land in 29 scattered parcels situated in Jefferson and Clallam Counties, Washington, is not required for the needs and responsibilities of Federal agencies, and thereafter to dispose of such property by exchange or otherwise as the interest of the Government may require, is redelegated to the Director of the National Park Service.

SEC. 2. The authority conferred herein shall be exercised in accordance with the act and regulations issued pursuant thereto, and in particular section 203 (e) of the act, requiring that an explanatory statement be prepared and submitted to the appropriate committees of Congress and a copy preserved in the file of all

cases where negotiated disposal occurs. Such statements shall be submitted to the committees at least thirty (30) days prior to consummation of any negotiated disposal, and a copy of each such statement shall be furnished the General Services Administration.

SEC. 3. The Director may, in writing, redelegate to any officer or employee of the Service the authority vested in him by this order, and he may authorize written redelegations of such authority. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 4. This delegation of authority shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 2, Reorg. Plan No. 3 of 1950; 5 U. S. C., 1952 ed., sec. 1332-15, note)

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-9684; Filed, Dec. 8, 1954;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

OGALLALA LIVESTOCK COMMISSION CO.
ET AL.

NOTICE RELATIVE TO POSTED STOCKYARDS

Pursuant to the authority vested in me under the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), on the respective dates specified below, it was ascertained by me that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the act and were therefore subject to the act, and notice was given to the owners and to the public by posting notice at the stockyards as required by section 302.

NEBRASKA		Date of posting
Name of stockyard		
Ogallala Livestock Commission Company, Ogallala	-----	Mar. 25, 1953
OHIO		
Producers Stockyards, Chillicothe	-----	Mar. 12, 1954
Producers Stockyards, Mt. Vernon	-----	Mar. 24, 1954
OKLAHOMA		
Holton Brothers Stockyards, Hugo	-----	Feb. 25, 1954
SOUTH DAKOTA		
Canton Livestock Sales Company, Canton	-----	Jan. 12, 1953
Edgemont Livestock Commission Company, Inc., Edgemont	-----	Aug. 18, 1954
Herreld Livestock Commission Company, Herreld	-----	June 23, 1954
Sisseton Livestock Sales Auction, Sisseton	-----	Oct. 8, 1954
VIRGINIA		
Abingdon Livestock Market, Inc., Abingdon	-----	July 23, 1953

Done at Washington, D. C., this 3d of December 1954.

[SEAL] DAVID M. PETTUS,
Director, Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 54-9736; Filed, Dec. 8, 1954;
8:53 a. m.]

Commodity Stabilization Service

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY THE ARKANSAS STATE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE

Section 729.630 of the Marketing Quota Regulations for the 1955 Crop of Peanuts (19 F. R. 6134), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376), provides that any authority delegated to the State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State Committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Arkansas State Agricultural Stabilization and Conservation Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the person to whom the authority has been redelegated:

ARKANSAS

Sections 729.611 (1) (2), 729.617 (b) (5), 729.618, 729.619 (b), 729.620 (a), and 729.624—Administrative Officer or Acting Administrative Officer of the Office of the State ASC Committee.

Sections 729.622 (a) and 729.628—M. D. Morgan, Administrative Officer; Nolan A. McChes, Chief, Programs Division; Rex A. Owens, Production Adjustment Specialist; M. E. Pinn, Assistant Chief, Administrative Division; Burle E. McMahan, Farmer Fieldman; Coy E. Scifres, Farmer Fieldman; Clyde P. Lieblong, Farmer Fieldman; W. Barham Ridgell, Farmer Fieldman; Walter W. Sumner, County Office Auditor; Joe A. Parr, County Office Auditor; Albert R. Morris, County Office Auditor; and R. E. Golden, County Office Auditor, of the Office of the State ASC Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1350, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1388)

Issued at Washington, D. C., this 6th day of December 1954.

[SEAL] WALTER C. BERGER,
Acting Administrator,
Commodity Stabilization Service.

[F. R. Doc. 54-9735; Filed, Dec. 8, 1954; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11119-11121; FCC 54-1470]

BORDER BROADCASTERS, INC. (KVOZ) ET AL.

ORDER SCHEDULING HEARING

In re applications of Border Broadcasters, Inc. (KVOZ), Laredo, Texas, Docket No. 11119, File No. BP-8947; John F. Thorwald, Harlingen, Texas, Docket No. 11120, File No. BP-9042; Hale Schale-

No. 238—4

ben and Van N. Culpepper, Raymondville, Texas, Docket No. 11121, File No. BP-9166; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on August 4, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 1, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9710; Filed, Dec. 8, 1954; 8:50 a. m.]

[Docket Nos. 11122, 11123; FCC 54-1471]

BLACKWATER VALLEY BROADCASTERS AND
MULESHOE BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Theodore Rozzell d/b as Blackwater Valley Broadcasters, Muleshoe, Texas, Docket No. 11122, File No. BP-9055; B. C. Dyess, Ed Holmes, and R. I. McLeroy d/b as Muleshoe Broadcasting Company, Muleshoe, Texas, Docket No. 11123, File No. BP-9203; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on August 4, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 3, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9711; Filed, Dec. 8, 1954; 8:50 a. m.]

[Docket Nos. 11124, 11125; FCC 54-1472]

HAROLD M. GADE AND MONMOUTH COUNTY
BROADCASTERS

ORDER SCHEDULING HEARING

In re applications of Harold M. Gade, Eatontown, New Jersey, Docket No. 11124, File No. BP-9096; Monmouth County Broadcasters, Long Branch, New Jersey, Docket No. 11125, File No. BP-9231; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on August 4, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 8, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9712; Filed, Dec. 8, 1954; 8:51 a. m.]

[Docket Nos. 11141, 11142; FCC 54-1473]

THEODORE FEINSTEIN AND SHERWOOD J.
TARLOW

ORDER SCHEDULING HEARING

In re applications of Theodore Feinstein, Newburyport, Massachusetts, Docket No. 11141, File No. BP-9027; Sherwood J. Tarlow, Newburyport, Massachusetts, Docket No. 11142, File No. BP-9120; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on August 18, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 10, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9713; Filed, Dec. 8, 1954; 8:51 a. m.]

[Docket No. 11143; FCC 54-1474]

CAPE FEAR BROADCASTING CO.

ORDER SCHEDULING HEARING

In re application of Cape Fear Broadcasting Company, Elizabethtown, North Carolina, for construction permit; Docket No. 11143, File No. BP-9040.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on August 18, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 15, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9714; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11145; FCC 54-1475]

COASTAL BROADCASTING CO. (WONN)

ORDER SCHEDULING HEARING

In re application of Coastal Broadcasting Company (WONN) Lakeland, Florida, for construction permit; Docket No. 11145, File No. BP-9245.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on August 18, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 17, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9715; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11146; FCC 54-1476]

BLACKHAWK BROADCASTING CO., INC.
(WSDR)

ORDER SCHEDULING HEARING

In re application of Blackhawk Broadcasting Company, Inc. (WSDR), Sterling, Illinois, for construction permit; Docket No. 11146, File No. BP-9258.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on August 18, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing on the above-entitled proceeding be held at 10:00 a. m., February 23, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9716; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11147; FCC 54-1477]

BROADCAST GROUP, INC.

ORDER SCHEDULING HEARING

In re application of Broadcast Group, Inc., St. Joseph, Missouri, for construction permit; Docket No. 11147, File No. BP-9264.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on August 18, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 24, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9717; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11162; FCC 54-1478]

SALINA BROADCASTING CO.

ORDER SCHEDULING HEARING

In re application of Philip D. Jackson tr/as Salina Broadcasting Company, Salina, Kansas, for construction permit; Docket No. 11162, File No. BP-9147.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on September 8, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 3, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9718; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11163; FCC 54-1479]

VILLAGE BROADCASTING CO. (WOPA)

ORDER SCHEDULING HEARING

In re application of Richard Goodman, Mason Laundry and Egmont Sonderring, a partnership doing business as Village Broadcasting Company (WOPA), Oak Park, Illinois, for construction permit; Docket No. 11163, File No. BP-9271.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on September 8, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 8, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9719; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11180; FCC 54-1480]

BILL MATHIS

ORDER SCHEDULING HEARING

In re application of Bill Mathis, Abilene, Texas, for construction permit; Docket No. 11180, File No. BP-8917.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on September 22, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 10, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9720; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11186; FCC 54-1481]

RADIO SERVICES OF WELLSVILLE

ORDER SCHEDULING HEARING

In re application of J. S. Mumma, J. M. Cleary, J. H. Satterwhite, J. E. Ericson, and C. S. Bromley, d/b as Radio Services of Wellsville, Wellsville, New York, for construction permit; Docket No. 11186, File No. BP-9021.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on September 29, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 15, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9721; Filed, Dec. 8, 1954;
8:51 a. m.]

[Docket No. 11188; FCC 54-1482]

CENTRAL DELTA BROADCASTING CO.
(WNLA)

ORDER SCHEDULING HEARING

In re application of W. L. Kent and John M. McLendon d/b as Central Delta Broadcasting Company (WNLA), Indianapolis, Mississippi, for construction permit; Docket No. 11188, File No. BMP-6582.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on September 29, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 16, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9722; Filed, Dec. 8, 1954;
8:52 a. m.]

[Docket Nos. 11126, 11127; FCC 54-1487]

MILDRED V. ERNST AND THERMOPOLIS
BROADCASTING CO., INC.

ORDER SCHEDULING HEARINGS

In re applications of Mildred V. Ernst, Thermopolis, Wyoming, Docket No. 11126, File No. BP-9194; Thermopolis Broadcasting Co., Inc., Thermopolis, Wyoming, Docket No. 11127, File No. BP-9294; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on November 17, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceedings be held at

10:00 a. m., March 31, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9727; Filed, Dec. 8, 1954;
8:52 a. m.]

[Docket No. 11213; FCC 54-1484]

GEORGE A. GOTHBERG, JR. (WFPA)

ORDER SCHEDULING HEARING

In re application of George A. Gothberg, Jr. (WFPA), Fort Payne, Alabama, for renewal of license; Docket No. 11213, File No. BR-2455.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on November 3, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., February 24, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9724; Filed, Dec. 8, 1954;
8:52 a. m.]

[Docket No. 11216; FCC 54-1485]

LOUIS ADELMAN

ORDER SCHEDULING HEARING

In re application of Louis Adelman, Richmond, Virginia, for construction permit; Docket No. 11216, File No. BR-9432.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on November 3, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 24, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS,
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9725; Filed, Dec. 8, 1954;
8:52 a. m.]

[Docket No. 11217; FCC 54-1486]

BUCKTAIL BROADCASTING CORP. (WBTL)

ORDER SCHEDULING HEARING

In re application of Bucktail Broadcasting Corporation (WBTL), Emporium, Pennsylvania, for reinstatement of construction permit; Docket No. 11217, File No. BP-9306.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled application which was designated for hearing on November 3, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 29, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9726; Filed, Dec. 8, 1954;
8:52 a. m.]

[Docket Nos. 11202-11204; FCC 54-1483]

MINERS BROADCASTING SERVICE, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of Miners Broadcasting Service, Inc., Ambridge, Pennsylvania, Docket No. 11202, File No. BP-9102; Louis Rosenberg, Tarentum, Pennsylvania, Docket No. 11203, File No. BP-9192; Theodore H. Oppgaard and Carl R. Lee, doing business as Somerset Broadcasting Company, Painesville, Ohio, Docket No. 11204, File No. BP-9358; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of December 1954;

The Commission having under consideration the above-entitled applications which were designated for hearing on October 13, 1954; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., March 16, 1955, in Washington, D. C.

Released: December 3, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9723; Filed, Dec. 8, 1954;
8:52 a. m.]

[Change List 172]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENT

OCTOBER 25, 1954.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying the appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power	Antenna	Schedule	Class	Probable date to commence operation
XEFB....	Monterrey, Nuevo Leon (increase in power)	630 kilocycles 10 kw	DA-2	U	III-A	Jan. 25, 1955.
XEJX....	Queretaro, Queretaro (change in frequency from 1,520 kc)	640 kilocycles 250 w	ND	D	II	Do.
XEZM....	Zamora, Michoacan (increase in day power)	660 kilocycles 5 kw	ND	D	II	Do.
New	Los Mochis, Sinaloa	250 w	ND	D	II	Apr. 25, 1955
XEBZ....	Mexico, D. F. (increase power)	680 kilocycles 50 kw	DA-2	U	II	Jan. 25, 1955
XEX....	Leon, Guanajuato	730 kilocycles 500 kw	DA	U	I-A	Sept. 1, 1954
XRAN....	Ocatlan, Jalisco (increase power)	800 kilocycles 1,000 w	ND	D	II	Jan. 25, 1955

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-9728; Filed, Dec. 8, 1954; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6587]

SOUTHERN UTAH POWER CO.

NOTICE OF APPLICATION

DECEMBER 3, 1954.

Take notice that on November 26, 1954, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Southern Utah Power Company, a corporation organized under the laws of the State of Utah and doing business in the States of Arizona and Utah, with its principal business office at Cedar City, Utah, seeking an order authorizing the issuance of a Promissory Note or Notes payable to a Bank or Banks, in an aggregate face amount not exceeding \$250,000 at any one time outstanding, bearing interest at a rate not in excess of 3 3/4 percent per annum (and a Note or Notes in renewal thereof) having maturity dates not later than January 1, 1956, \$200,000 face amount thereof in payment of Notes maturing January 1, 1955, and the balance representing additional funds to be borrowed. The proposed Promissory Note is to be dated January 1, 1955, in the case of the payment of the Notes maturing on said date, to be dated the date of the loan in the case of the additional funds to be borrowed, said notes initially issued or renewals thereof from time to time shall in no event mature later than January 1, 1956; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 23d day of December 1954, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The applica-

tion is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9693; Filed, Dec. 8, 1954; 8:48 a. m.]

[Docket Nos. G-2399, G-2409, G-2458, G-2465, G-2491, G-4259, G-4260, G-4261]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATIONS AND ORDER CONSOLIDATING PROCEEDINGS AND PROVIDING FOR HEARING

Notice is hereby given that Northern Natural Gas Company (Northern), a Delaware corporation having its principal place of business at Omaha, Nebraska, filed, on October 25, 1954, applications, which were supplemented on November 15, 1954, as follows:

(1) In Docket No. G-4259, for a certificate of public convenience and necessity authorizing, inter alia, construction and operation of facilities to enable it to utilize supplies of gas proposed to be purchased by Northern from Trans-Canada Pipe Lines, Limited (Trans-Canada); said facilities to include 188 miles of 24-inch main pipeline to extend from a point of connection with the facilities of Trans-Canada at Emerson, Manitoba, to Wahpeton, North Dakota; 215.3 miles of 30-inch main pipeline to extend from Wahpeton to a connection with Northern's main system at Farmington, Minnesota; a 4,000 H. P. compressor station to be located at Pembina, North Dakota; a 2,000 H. P. unit addition at the same station to be added in 1956; and branch-line facilities to provide natural-gas service to eleven communities located along the Emerson-Farmington line as designated in the application. Total

estimated cost of all such facilities is \$32,813,000. Northern proposes to utilize the additional supply of natural gas thereby made available, together with its existing gas supply, to increase its system saleable capacity from 1,100,056 Mcf per day to 1,232,915 Mcf per day in the fall of 1955 and to 1,280,070 Mcf per day in the fall of 1956. Northern proposes to dispose of such capacity by serving 17,982 Mcf per day to the Duluth-Superior area as proposed in its pending application in Docket No. G-2399; 14,649 Mcf to the eastern South Dakota area as proposed in its application in Docket No. G-2465; 12,000 Mcf per day to Allied Chemical and Dye Corporation, as proposed in its application in Docket No. G-2458; approximately 60,000 Mcf to existing customers; and approximately 28,000 Mcf to certain communities along its existing system, as designated in the application, which are not now served with natural gas. Northern states that the additional 47,155 Mcf of daily saleable capacity to be added in 1956 will be required for additional service in communities then being served. The total cost of all facilities proposed to be constructed by Northern, including additional compressor units on its existing system, new branch lines and branch line loops on its existing system, and facilities proposed to be constructed in Docket Nos. G-2399, G-2458, G-2465, G-2409 (a proposed interruptible sale to Northern States Power Company), and G-2491 (a proposed interruptible sale to Grundy Center, Iowa) is \$56,786,000.

(2) In Docket No. G-4260, for authorization pursuant to Section 3 of the Natural Gas Act to import natural gas from Canada under a twenty-five year contract between Northern and Trans-Canada.

(3) In Docket No. G-4261, for a Presidential Permit, pursuant to Executive Order 10485, authorizing construction, operation, maintenance, and connection at the international boundary of facilities for the importation of natural gas from Canada as heretofore indicated.

The applications in Docket Nos. G-2399, G-2409, G-2458, G-2465, and G-2491 have heretofore been consolidated for purpose of hearing, said hearing being now scheduled to commence on January 4, 1955.

The Commission finds: It is appropriate and in the public interest, and good cause exists (1) to publish notice and to issue the order providing for hearing in Docket Nos. G-4259, G-4260, and G-4261 simultaneously; and (2) to consolidate said applications for purpose of the hearing to commence January 4, 1955, with the consolidated applications in Docket Nos. G-2399, G-2409, G-2458, G-2465, and G-2491.

The Commission orders:

(A) Due notice of the filing of the applications in Docket Nos. G-4259, G-4260, and G-4261, be given, including publication in the FEDERAL REGISTER of this notice of applications and order.

(B) The applications in Docket Nos. G-4259, G-4260, and G-4261 be and the same hereby are consolidated with the applications in Docket Nos. G-2399, G-

2409, G-2458, G-2465, and G-2491 for purpose of hearing.

(C) Hearing with respect to the matters and issues presented by the applications in Docket Nos. G-4259, G-4260, and G-4261 shall commence on January 4, 1955, the date heretofore fixed for hearing to commence in Docket Nos. G-2399, G-2409, G-2458, G-2465, and G-2491.

(D) Protests or petitions to intervene in Docket Nos. G-4259, G-4260, and G-4261 may be filed with the Commission in accordance with its rules of practice and procedure, §§ 1.8 or 1.10 (18 CFR 1.8 or 1.10), on or before the 24th day of December 1954.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON H. FUQUAY,
Secretary.

[F. R. Doc. 54-9704; Filed, Dec. 8, 1954;
8:49 a. m.]

[Docket No. G-2534]

ALABAMA-TENNESSEE NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

Alabama-Tennessee Natural Gas Company (Applicant), a Delaware corporation having its principal office in Florence, Alabama, filed application on August 6, 1954, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing (a) the construction and operation of certain natural-gas facilities, to wit: (1) A purchase gas meter station and appurtenant facilities near Corinth, Mississippi, at a point of interconnection between Applicant's existing pipe line and the Kinder-Portland line of Tennessee Gas Transmission Company now under construction; (2) an additional 350 BHP compressor unit at Applicant's compressor station near Muscle Shoals, Alabama; (3) approximately 3.7 miles of 8 $\frac{1}{2}$ -inch O. D. lateral pipe line between Applicant's existing 12-inch main line south of Tusculumbia and its sales meter stations serving Sheffield and Florence, Alabama; and (4) approximately 21.2 miles of 12 $\frac{1}{2}$ -inch O. D. main line paralleling Applicant's existing 10-inch main line in Colbert County, Alabama; and (b) the abandonment and removal of approximately 5.5 miles of 8 $\frac{1}{2}$ -inch O. D. main line from the point of interconnection with its 10-inch main line near Muscle Shoals, Alabama, to the point of interconnection with the new 8-inch main line north of Leighton, Alabama.

The Applicant has requested that its application be heard under the shortened procedure provided for in § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Due notice of the filing of the appli-

cation has been given, including publication of notice in the FEDERAL REGISTER on August 31, 1954 (19 F. R. 5567).

Petitions for leave to intervene in this proceeding have been filed by the City of Russellville, Alabama, the Lawrence-Colbert Counties Gas District, and jointly by the Cities of Athens, Decatur, Florence, Hartselle, Huntsville, Sheffield, and Tusculumbia, Alabama, Corinth and Iuka, Mississippi, and Selmer, Tennessee. Each of the petitioners support the application generally, but request opportunity to participate in the proceeding on such application to the extent of presenting evidence and filing of briefs on the asserted rights and interests set forth in their respective petitions.

The application herein indicates that construction of the purchase gas meter station, the additional compressor unit, and the 3.7 miles of 8 $\frac{1}{2}$ -inch line are required to provide adequate service in the 1954-1955 winter season to existing customers. Temporary authorization to construct those facilities was granted Applicant on October 5, 1954, providing that deliveries therefrom are to be made only to existing authorized customers. In addition, Tennessee Gas Transmission Company, Applicant's supplier, has filed application (Docket No. G-4262) to increase its maximum daily delivery of gas to Applicant by the amount estimated by the latter to be necessary to meet the 1954-55 winter peak.

The Commission finds:

(1) This proceeding, in the circumstances is not a proper one for disposition under the provisions of the aforementioned § 1.32 (b) of the rules of practice and procedure.

(2) It is appropriate, reasonable, and in the public interest in carrying out the provisions of the Natural Gas Act, that a public hearing be held in this proceeding as hereinafter provided and ordered.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7, 15, and 16 of the Natural Gas Act, and the Commission's rules thereunder, a public hearing be held commencing on December 20, 1954, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., on the matters involved and the issues presented by the application herein to construct and operate a purchase gas meter station, an additional 350 BHP compressor unit and approximately 3.7 miles of 8 $\frac{1}{2}$ -inch lateral line, and to abandon and remove approximately 5.5 miles of 8 $\frac{1}{2}$ -inch line, as outlined above and as more fully set forth in the application: *Provided, however*, That hearing on Applicant's request for authorization to construct and operate approximately 21.2 miles of 12 $\frac{1}{2}$ -inch main line, described above, hereby is deferred until further order of the Commission: *And provided, further*, That the Commission may, after a noncontested hearing, dispose of the proceeding hereinabove provided pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9686; Filed, Dec. 8, 1954;
8:47 a. m.]

[Docket No. G-2658]

ED E. HURLEY ET AL.

NOTICE OF APPLICATION AND ORDER FIXING DATE OF HEARING

Take notice that Ed E. Hurley, Byrd Oil Corporation, Renwar Oil Corporation, J. A. Humphrey, and Mary Andrade, with a principal office in Dallas, Texas, filed on September 2, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicants to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in their application filed herein.

Applicants produce natural gas in Harrison County, Texas, which they sell to the Mississippi River Fuel Corporation under contract dated April 23, 1951, for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 10th day of December 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on December 20, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1)

or (2) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9705; Filed, Dec. 8, 1954;
8:49 a. m.]

[Docket No. G-2784]

NEW YORK STATE NATURAL GAS CORP. AND
TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

The applicants in this proceeding have requested that their joint application for a certificate of public convenience and necessity authorizing construction, acquisition and operation of certain facilities for the transportation of natural gas in interstate commerce as described in its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)), of the Commission's rules of practice and procedure. The application was filed on September 16, 1954, pursuant to section 7 of the Natural Gas Act. No request to be heard, protest or petition has been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on October 28, 1954 (19 F. R. 6959-6960). This proceeding is, therefore, a proper one for disposition under the provisions of the aforesaid rule for noncontested proceedings.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on December 20, 1954, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by the application: *Provided, however*, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9687; Filed, Dec. 8, 1954;
8:47 a. m.]

[Docket No. G-3715]

CLARDY & BARNETT ET AL.

NOTICE OF APPLICATION AND ORDER FIXING DATE OF HEARING

In the matter of Clardy & Barnett,
J. A. Markel, Lewis O. Kelsey, Gerald

Johnson, Harold Johnson and Fayne Johnson.

Take notice that Clardy & Barnett, a partnership composed of Bruce C. Clardy and A. L. Barnett, with its principal place of business in Dallas, Texas; and J. A. Markel of Los Angeles, California; Lewis O. Kelsey of Corpus Christie, Texas; Gerald Johnson, Harold Johnson and Fayne Johnson, each of Gary, Indiana (Applicants), filed on September 30, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicants to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in their application filed herein.

Applicants produce natural gas in Odem Field, San Patricio County, Texas, which they sell to Tennessee Gas Transmission Company for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 8th day of December 1954. The application is on file with the Commission for public inspection.

Applicants request that the application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

The Commission finds:

(1) It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

(2) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)). Applicants having requested that their application be heard under the shortened procedure provided for by the aforesaid rule for noncontested proceedings: *Provided, however*, That no request to be heard, protest or petition is filed raising an issue of substance.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on December 20, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9706; Filed, Dec. 8, 1954;
8:50 a. m.]

[Docket No. G-5470]

EAST TENNESSEE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF CHANGES AND PROVIDING FOR HEARING

On November 12, 1954, East Tennessee Natural Gas Company (Applicant), pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR Part 154), tendered for filing First Revised Sheets Nos. 5, 8, 11, 14, 16, 17, 19, and 20 to its FPC Gas Tariff, Third Revised Volume No. 1. The tariff changes contained in the tendered filing, which are proposed to be made effective November 12, 1954, embody a proposed annual rate increase estimated at \$274,300, to compensate Applicant for an increase in cost of gas resulting from an increase proposed by its sole supplier, Tennessee Gas Transmission Company (Tennessee).

The Commission has ordered a hearing concerning the lawfulness of the increased rates proposed by Tennessee, and pending such hearing and decision thereon Tennessee's proposal has been suspended until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as Tennessee's proposed rate increase may be made effective in the manner prescribed by the Natural Gas Act. Order issued November 26, 1954. In the Matter of Tennessee Gas Transmission Company, Docket No. G-5259. Applicant's proposed increase can be supported only by relying upon the effectiveness of the rate increase of its supplier, and should therefore be suspended pending determination of said effectiveness.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Applicant's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 5, 8, 11, 14, 16, 17, 19, and 20, and that said proposed tariff sheets and the rates contained therein be suspended as herein-after provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR, Chapter I), a public hearing be held at a time and place to be fixed by further order of the Commission, concerning the lawfulness of the rates, charges, classifications and services, or any of them, subject to the jurisdiction of the Commission, contained in Applicant's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 5, 8, 11, 14, 16, 17, 19, and 20, and all contracts relating thereto.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above hereby are suspended and their use deferred until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9688; Filed, Dec. 8, 1954;
8:47 a. m.]

[Docket No. G-5471]

**ALABAMA-TENNESSEE NATURAL GAS CO.
ORDER SUSPENDING PROPOSED TARIFF
CHANGES AND PROVIDING FOR HEARING**

On November 5, 1954, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee), pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR Part 154), tendered for filing First Revised Sheets Nos. 5 and 10 to its FPC Gas Tariff, First Revised Volume No. 1. The tariff changes contained in the tendered filing, which are proposed to be made effective November 3, 1954, embody a proposed annual rate increase estimated at \$74,175, to compensate Alabama-Tennessee for an increase in cost of gas resulting from an increase proposed by its sole supplier, Tennessee Gas Transmission Company (Tennessee).

The Commission has ordered a hearing concerning the lawfulness of the increased rates proposed by Tennessee, and pending such hearing and decision thereon Tennessee's proposal has been suspended until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as Tennessee's proposed rate increase may be made effective in the manner prescribed by the Natural Gas Act. Order issued November 26, 1954, In the Matter of Tennessee Gas Transmission Company, Docket No. G-5259. Alabama-Tennessee's proposed increase can be supported only by relying upon the effectiveness of the rate increase of its supplier, and should therefore be suspended pending determination of said effectiveness.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in

Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 5 and 10, and that said proposed tariff sheets and the rates contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I), a public hearing be held at a time and place to be fixed by further order of the Commission, concerning the lawfulness of the rates, charges, classifications and services, or any of them, subject to the jurisdiction of the Commission, contained in Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 5 and 10, and all contracts relating thereto.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above, hereby are suspended and their use deferred until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9689; Filed, Dec. 8, 1954;
8:47 a. m.]

[Docket No. G-5472]

TENNESSEE NATURAL GAS LINES, INC.

**ORDER SUSPENDING PROPOSED TARIFF
CHANGES AND PROVIDING FOR HEARINGS**

On November 8, 1954, Tennessee Natural Gas Lines, Inc. (Applicant), pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR, Part 154), tendered for filing Seventh Revised Sheet No. 4 and Second Revised Sheet No. 7-A to its FPC Gas Tariff, Original Volume No. 1. The tariff changes contained in the tendered filing, which are proposed to be made effective November 8, 1954, embody a proposed annual rate increase estimated at \$183,800, to compensate Applicant for an increase in cost of gas resulting from an increase proposed by its sole supplier, Tennessee Gas Transmission Company (Tennessee).

The Commission has ordered a hearing concerning the lawfulness of the in-

creased rates proposed by Tennessee, and pending such hearing and decision thereon Tennessee's proposal has been suspended until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as Tennessee's proposed rate increase may be made effective in the manner prescribed by the Natural Gas Act. Order issued November 26, 1954, In the Matter of Tennessee Gas Transmission Company, Docket No. G-5259. Applicant's proposed increase can be supported only by relying upon the effectiveness of the rate increase of its supplier, and should therefore be suspended pending determination of said effectiveness.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Seventh Revised Sheet No. 4 and Second Revised Sheet No. 7-A, and that said proposed tariff sheets and the rates contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15 and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I), a public hearing be held at a time and place to be fixed by further order of the Commission, concerning the lawfulness of the rates, charges, classifications and services, or any of them, subject to the jurisdiction of the Commission, contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Seventh Revised Sheet No. 4 and Second Revised Sheet No. 7-A thereto, and all contracts relating thereto.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above hereby are suspended and their use deferred until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9690; Filed, Dec. 8, 1954;
8:47 a. m.]

[Docket No. G-5473]

LAKE SHORE PIPE LINE CO.

ORDER SUSPENDING PROPOSED TARIFF CHANGES AND PROVIDING FOR HEARING

On November 9, 1954, Lake Shore Pipe Line Company (Applicant), pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR Part 154), and in conformity with the provisions of paragraph (B) of the Commission's order issued March 15, 1954, in the Matter of Lake Shore Pipe Line Company, Docket No. G-2254, tendered for filing its proposed Eighth Revised Sheets Nos. 5 and 7 and Third Revised Sheet No. 8-B to Applicant's FPC Gas Tariff, Original Volume No. 1. The tariff changes contained in the tendered filing, which are proposed to be made effective November 3, 1954, embody a proposed annual rate increase estimated at \$45,525, to compensate Applicant for an increase in cost of gas resulting from an increase proposed by its sole supplier, Tennessee Gas Transmission Company (Tennessee).

The Commission has ordered a hearing concerning the lawfulness of the increased rates proposed by Tennessee, and pending such hearing and decision thereon Tennessee's proposal has been suspended until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as Tennessee's proposed rate increase may be made effective in the manner prescribed by the Natural Gas Act. Order issued November 26, 1954, in the Matter of Tennessee Gas Transmission Company, Docket No. G-5259. Applicant's proposed increase can be supported only by relying upon the effectiveness of the rate increase of its supplier, and should therefore be suspended pending determination of said effectiveness.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Eighth Revised Sheets Nos. 5 and 7 and Third Revised Sheet No. 8-B, and that said proposed tariff sheets and the rates contained therein be suspended as hereinafter provided, in conformity with the provisions of the Commission's order of March 15, 1954, in Docket No. G-2254, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I), a public hearing be held, at a date and place hereinafter to be fixed by the Commission, concerning the law-

fulness of the rates, charges, classifications, and services, or any of them, subject to the jurisdiction of the Commission, contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Eighth Revised Sheets Nos. 5 and 7 and Third Revised Sheet No. 8-B thereto, and all contracts relating thereto.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above hereby are suspended and their use deferred until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.[T. R. Doc. 54-9691; Filed, Dec. 8, 1954;
8:48 a. m.]

[Docket No. G-5474]

HOPE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF CHANGES AND PROVIDING FOR HEARING

On November 10, 1954, Hope Natural Gas Company (Applicant), pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR Part 154), tendered for filing its proposed Ninth Revised Sheet No. 3-A and Tenth Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, setting forth therein its proposed revised Rate Schedules H-1B and H-2A, increasing Applicant's rates and charges, subject to the Commission's jurisdiction under that Act, for sales in interstate commerce of natural gas for resale for ultimate public consumption.

On November 30, 1954, after conferences with Commission Staff representatives, Applicant tendered for filing substitute Ninth Revised Sheet No. 3-A and substitute Tenth Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, proposed to be made effective December 10, 1954.

The tariff changes contained in the filing tendered November 10, 1954 embodied a proposed annual rate increase estimated at \$2,920,400, or 3.3 percent, based upon Applicant's operations during the 12-months ended August 31, 1954, as adjusted, above the rates established by the Commission's order issued November 19, 1954, in the Matter of Hope Natural Gas Company, Docket No. G-2303. The revised tariff changes contained in the substitute filing tendered November 30, 1954 embody a proposed annual rate increase estimated at

\$1,060,400, or 2.8 percent above the rates established in Docket No. G-2303. The revised rate increase is to compensate Applicant solely for an increase in the cost of gas purchased from Tennessee Gas Transmission Company (Tennessee), resulting from the proposed increased rates filed by that Company on November 3, 1954.

The Commission has ordered a hearing concerning the lawfulness of the increased rates proposed by Tennessee, and pending such hearing and decision thereon Tennessee's proposal has been suspended until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as Tennessee's proposed rate increase may be made effective in the manner prescribed by the Natural Gas Act. Order issued November 26, 1954, in the Matter of Tennessee Gas Transmission Company, Docket No. G-5259. Applicant's proposed increase can be supported only by relying upon the effectiveness of the rate increase of its supplier, and should therefore be suspended pending determination of said effectiveness.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by substitute Ninth Revised Sheet No. 3-A and substitute Tenth Revised Sheet No. 4, and that said proposed tariff sheets and the rates contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15 and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR, Chapter I), a public hearing be held at a time and place to be fixed by further order of the Commission, concerning the lawfulness of the rates, charges, classifications and services, or any of them, subject to the jurisdiction of the Commission, contained in Applicant's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by substitute Ninth Revised Sheet No. 3-A and substitute Tenth Revised Sheet No. 4 thereto, and all contracts relating thereto.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above hereby are suspended and their use deferred until December 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of

the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 2, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9692; Filed, Dec. 8, 1954;
8:48 a. m.]

[Docket No. G-5475]

UNITED FUEL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF
CHANGES AND CONSOLIDATING PROCEED-
INGS FOR HEARINGS

United Fuel Gas Company (United Fuel), on November 4, 1954, submitted for filing Substitute First Revised Sheets Nos. 13 and 17 to its FPC Gas Tariff, Fourth Revised Volume No. 1, proposing to increase its rates and charges for the sale of natural gas for resale by approximately \$2,668,374 per year (0.83¢ per Mcf), based upon estimated sales for the year 1955, over and above the \$13,022,600 increase presently in effect, subject to refund, in Docket No. G-2451.

The November 4, 1954 filing, which incorporates the increase presently in effect, subject to refund, in Docket No. G-2451, is to compensate United Fuel for the proposed rate increase filed by Tennessee Gas Transmission Company on November 3, 1954 and suspended by Commission order in Docket No. G-5259 until December 15, 1954.

Portsmouth Gas Company, the only nonaffiliated wholesale customer of United Fuel, has filed objections both to the level and form of the proposed rate and requests that it be suspended.

The rates, charges and classifications set forth in United Fuel's Substitute First Revised Sheets Nos. 13 and 17 to its FPC Gas Tariff, Fourth Revised Volume No. 1, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

Unless suspended by order of the Commission, the proposed substitute tariff sheets will become effective on December 5, 1954, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services contained in United Fuel's proposed Substitute First Revised Sheets Nos. 13 and 17, and that said proposed substitute tariff sheets be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision thereon.

(2) It is appropriate and in the public interest that the issue of rate form in

this matter be consolidated for purpose of hearing with the proceedings on that issue in the consolidated proceedings in Dockets Nos. G-2450 and G-2451.

The Commission orders:

(A) A public hearing be held, at a date to be set by further order, concerning the lawfulness of the rates, charges, classifications, and services contained in United Fuel's FPC Gas Tariff, Fourth Revised Volume No. 1, as proposed to be revised by Substitute First Revised Sheets Nos. 13 and 17 thereto, and the service agreements and contracts relating to such tariff.

(B) Pending such hearing and decision thereon, the proposed Substitute First Revised Sheets Nos. 13 and 17 to United Fuel's FPC Gas Tariff, Fourth Revised Volume No. 1, hereby are suspended and their use deferred until December 15, 1954, and until such time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) The proceedings in this docket with respect to the issue of rate form and the consolidated proceedings in Dockets Nos. G-2450 and G-2451, with respect to the same issue be, and the same hereby are, consolidated for purposes of hearing.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9707; Filed, Dec. 8, 1954;
8:50 a. m.]

[Docket No. G-5476]

CENTRAL KENTUCKY NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF
CHANGES AND CONSOLIDATING PROCEED-
INGS FOR HEARING

Central Kentucky Natural Gas Company (Central Kentucky), on November 4, 1954, submitted for filing Substitute First Revised Sheet No. 8 to its FPC Gas Tariff, Fourth Revised Volume No. 1, proposing to increase its rates and charges for the sale of natural gas for resale by approximately \$461,416 per year (0.8¢ per Mcf), based on estimated sales for the year 1955, over and above the \$2,991,000 increase presently in effect, subject to refund, in Docket No. G-2450.

The filing of November 4, 1954, which incorporates the increase presently in effect, subject to refund, in Docket No. G-2450, is stated to be necessary to compensate Central Kentucky for the proposed rate increase filed on the same day by its affiliate and supplier, United Fuel Gas Company, which, in turn, is occasioned by the November 3, 1954, rate increase

filing of Tennessee Gas Transmission Company, suspended by Commission order in Docket No. G-5259 until December 15, 1954. United Fuel Gas Company's proposed rate increase filed November 4, 1954, has also been suspended until December 15, 1954, by Commission order adopted this day in Docket No. G-5475.

Protests against the proposed increased rates have been filed by a number of Central Kentucky customers, together with requests that such proposed increase be suspended.

The rates, charges and classifications set forth in Central Kentucky's Substitute First Revised Sheet No. 8 to its FPC Gas Tariff, Fourth Revised Volume No. 1, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

Unless suspended by order of the Commission, the proposed substitute tariff sheet will become effective on December 5, 1954, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing pursuant to the authority contained in Section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services contained in Central Kentucky's proposed Substitute First Revised Sheet No. 8, and that said proposed substitute tariff sheet be suspended as hereinafter provided and the use thereof deferred pending hearing and decision thereon.

(2) It is appropriate and in the public interest that the issue of rate form in this matter be consolidated for purpose of hearing with the proceedings on that issue in the consolidated proceedings in Dockets Nos. G-2450 and G-2451.

The Commission orders:

(A) A public hearing be held, at a date to be set by further order, concerning the lawfulness of the rates, charges, classifications, and services contained in Central Kentucky's FPC Gas Tariff, Fourth Revised Volume No. 1, as proposed to be revised by Substitute First Revised Sheet No. 8 thereto, and the service agreements and contracts relating to such tariff.

(B) Pending such hearing and decision thereon, the proposed Substitute First Revised Sheet No. 8 to Central Kentucky's FPC Gas Tariff, Fourth Revised Volume No. 1, hereby is suspended and its use deferred until December 15, 1954, and until such time thereafter as it may be made effective in the manner prescribed by the Natural Gas Act.

(C) The proceedings in this docket with respect to the issue of rate form and the consolidated proceedings in Dockets Nos. G-2450 and G-2451 with respect to the same issue be, and the same hereby are, consolidated for purposes of hearing.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the

Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9708; Filed, Dec. 8, 1954;
8:50 a. m.]

[Docket No. G-5477]

ATLANTIC SEABOARD CORP.

ORDER SUSPENDING PROPOSED TARIFF CHANGES

Atlantic Seaboard Corporation (Seaboard) on November 9, 1954, submitted for filing Substitute First Revised Sheets Nos. 12 and 16 to its FPC Gas Tariff, Sixth Revised Volume No. 1, proposing to increase its rates and charges for the sale of natural gas for resale by approximately \$755,000 per year (0.88¢ per Mcf), based on estimated sales for the year 1955, over and above the \$6,639,300 increase presently in effect subject to refund in Docket No. G-2452.

The filing of November 9, 1954, which incorporates the increase presently in effect subject to refund in Docket No. G-2452, is stated to be necessary to compensate Seaboard for the proposed rate increase filed on November 4, 1954, by its affiliate and supplier, United Fuel Gas Company, which, in turn, is occasioned by the November 3, 1954, rate increase filing of Tennessee Gas Transmission Company, suspended by Commission order in Docket No. G-5259 until December 15, 1954. United Fuel Gas Company's proposed rate increase filed November 4, 1954, has also been suspended until December 15, 1954, by Commission order issued this date in Docket No. G-5475.

Washington Gas Light Company, one of Seaboard's principal wholesale customers has filed objections to and request for suspension of the proposed increase.

The rates, charges, and classifications set forth in Seaboard's Substitute First Revised Sheets Nos. 12 and 16 to its FPC Gas Tariff, Sixth Revised Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful.

Unless suspended by order of the Commission, the proposed substitute tariff sheets will become effective on December 10, 1954, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services contained in Seaboard's proposed Substitute First

Revised Sheets Nos. 12 and 16 and that said proposed substitute tariff sheets be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) A public hearing be held, at a date to be set by further order, concerning the lawfulness of the rates, charges, classifications and services contained in Seaboard's FPC Gas Tariff, Sixth Revised Volume No. 1 as proposed to be revised by Substitute First Revised Sheets Nos. 12 and 16 thereto, and the service agreements and contracts relating to such tariff.

(B) Pending such hearing and decision thereon, the proposed Substitute First Revised Sheets Nos. 12 and 16 to Seaboard's FPC Gas Tariff, Sixth Revised Volume No. 1 hereby are suspended and their use deferred until December 15, 1954, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 1, 1954.

Issued: December 3, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-9709; Filed, Dec. 8, 1954;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-184]

UNITED CORP.

NOTICE OF FILING AND ORDER FOR HEARING ON APPLICATIONS FOR APPROVAL AND ALLOWANCES OF FEES AND EXPENSES

DECEMBER 2, 1954.

The Commission having on June 26, 1951 issued its order approving an amended plan, filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by The United Corporation ("United"), a registered holding company, proposing certain action designed to complete compliance with a prior order issued by the Commission on August 14, 1943 pursuant to section 11 (b) (2) of the act and for the transformation of United into an investment company; and

Said order of June 26, 1951 having, among other things, reserved jurisdiction over the reasonableness and appropriate allocation of all fees and expenses incurred and to be incurred by United for services rendered in connection with the plan and the transactions incident thereto;

Notice is hereby given that applications for approval and allowance of fees for services rendered and reimbursement of expenses incurred, up to September 15, 1954, in respect of United's plan have been filed as indicated below:

	Fees	Expenses
Fees and expenses directly incurred by United:		
Whitman, Hanson, Coulson & Goetz, counsel.....	\$238,500.00	\$4,391.72
John J. Burns, special counsel.....	30,500.00	917.47
Financial advisory services:		
The First Boston Corp.....	30,000.00	
Franklin Cole & Co.....	10,000.00	
Moody's Investors Service.....	19,952.29	
Accountant, Arthur Young & Co.....	12,500.00	
Exchange and transfer agent (services and expenses), J. P. Morgan & Co., Inc.....	25,885.82	
Expenses of registration of shares of Niagara Mohawk Power Corp. and South Jersey Gas Co.....		76,219.62
Printing and related services.....		28,219.13
Miscellaneous.....		18,614.46
Fees and expenses of other participants in proceeding:		
Randolph Phillips, a common stockholder, pro se.....	249,120.00	50,339.04
Joseph B. Hyman, counsel for Randolph Phillips as attorney-in-fact for common stockholders and for Edward R. Downing, a common stockholder.....	35,000.00	
Dr. Sheldon Preschel, a common stockholder, pro se and for Esther Preschel, a common stockholder.....	2,500.00	91.00
Total.....	658,958.11	178,792.44

In addition to the foregoing, John Mulford, counsel for The General Protective Committee for Holders of United Option Warrants has filed an application requesting approval of an interim allowance of \$11,052.26 in reimbursement for the Committee's expenses up to September 15, 1954.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the applications set forth above:

It is ordered, That a hearing on said applications be convened on January 11, 1955, such hearing to commence at 10:00 a. m., at the office of the Securities and Exchange Commission, Washington 25, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held. Any person who is not already a party, or who has not been granted leave to participate in the above-entitled proceeding, who desires to be heard or otherwise wishes to participate in such hearing shall file with the Secretary of this Commission on or before January 3, 1955, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing is and are hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of said applications and on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions for examination:

1. Whether the services and disbursements for which remuneration is sought are compensable out of the estate and whether it is lawful or appropriate to approve or grant any allowances for fees and expenses to the applicants making such claims.

2. Whether the requested amounts for fees and expenses were incurred in rendering services which were necessary in connection with the reorganization plan involved and whether the requested amounts are reasonable and, if not, what amounts should be fixed by the Commission.

3. Whether there are any other factors apart from the nature and value of the services rendered and the capacity in which rendered which would make any of the requests for compensation or reimbursement improper.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order, by registered mail, on The United Corporation and on the applicants herein, that notice of the entry of this order shall be given to all other persons by general release of the Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-9694; Filed, Dec. 8, 1954;
8:48 a. m.]

[File No. 70-3294]

MISSISSIPPI POWER & LIGHT CO.

SUPPLEMENTAL ORDER REGARDING SALE OF PREFERRED STOCK

DECEMBER 3, 1954.

The Commission by order dated November 23, 1954 (Holding Company Act Release No. 12714) having permitted to become effective the declaration of Mississippi Power & Light Company ("Mississippi"), a public-utility subsidiary of Middle South Utilities, Inc., a registered holding company, with respect to, among other things, the issuance by Mississippi of \$44,476 shares of New Preferred Stock, \$100 par value, and the offer to exchange such shares of New Preferred Stock for its presently outstanding 44,476 shares of \$6 Preferred Stock, without par value, subject to a reservation of jurisdiction with respect to the dividend rate, initial public offering price, and the results of competitive bidding under Rule U-50;

An amendment having been filed stating that Mississippi has set the initial public offering price of the New Preferred Stock at \$105 per share and the dividend rate at 4.56 percent, and setting forth the action taken by Mississippi to comply with the requirements of Rule U-50 and stating that pursuant to the invitations for competitive bids for their undertaking to form and manage a group of securities dealers to so-

licit exchanges of the \$6 Preferred Stock and to purchase any unexchanged shares of the New Preferred Stock, the following bids have been received.

Name of representative(s):	Aggregate compensation
White, Weld & Co. and Kidder, Peabody & Co.	\$21,215.05
Blyth & Co., Inc. and Shields and Co.	25,000.00
Lehman Bros.	27,333.00
Union Securities Corp. and Equitable Securities Corp.	50,258.00

Said amendment to the declaration also setting forth that Mississippi has accepted the bid of White, Weld & Co. and Kidder, Peabody & Co., resulting in a gross underwriting spread of 48¢ per share applicable to such New Preferred Stock; and

The Commission having examined said amendment, and having considered the record herein, and finding no reason for the imposition of terms and conditions with respect to the results of competitive bidding for said New Preferred Stock:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said New Preferred Stock under Rule U-50 be, and the same hereby is, released, and that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-9696; Filed, Dec. 8, 1954;
8:48 a. m.]

[File No. 70-3312]

STANDARD POWER AND LIGHT CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING 40 CENTS PER SHARE DISTRIBUTION

DECEMBER 3, 1954.

Standard Power and Light Corporation ("Power"), a registered holding company in the process of liquidation under order of the Commission, has filed an application-declaration, pursuant to sections 10 and 12 of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-46 promulgated thereunder, regarding its proposals (a) to acquire securities proposed to be distributed by a sub-holding company also undergoing liquidation pursuant to an order of the Commission and (b) to make a distribution of 40 cents per share, out of earned surplus to the full extent thereof and the balance out of capital surplus, to each holder of record of its outstanding 1,320,000 shares of common stock and 110,000 shares of common stock, Series B.

In 1953 and 1954 Power made cash distributions out of capital surplus of 25 cents and 30 cents per share. In connection with such distributions, the Commission reserved jurisdiction to determine and pass upon the extent, if any, to which Power may be liable to H. M. Byllesby and Company ("Byllesby"), a former stockholder, by reason of the

payment of such distributions. Such rights as Byllesby may have, arise under an agreement dated June 28, 1940, pursuant to which Byllesby surrendered to Power for cancellation 330,000 shares of the latter's common stock, Series B, reserving the right to receive its proportionate share of the assets of Power upon any distribution thereof whether upon dissolution, merger, consolidation, or otherwise, on a parity basis with the holders of the common stock and the common stock, Series B, of Power. Byllesby's rights under said agreement are the subject of a proceeding in which the Commission approved a plan filed by Power under section 11 (e) of the act embodying a settlement agreement between Byllesby and Power. The plan would fix Byllesby's rights with respect to the distribution now proposed by Power but consummation of such plan is conditioned upon its approval by an appropriate Court. At the request of Power, the Commission has applied to the United States District Court for the District of Delaware to enforce the terms and provisions of the plan and such proceeding is pending before that Court. Power requests the Commission, if it approves the proposed 40 cents per share distribution, to reserve jurisdiction to determine the extent, if any, of Power's liability to Byllesby by reason of such proposed distribution in the event the plan and settlement of Byllesby's rights are not approved by the Court.

Notice of the filing of the application-declaration herein having been given in the manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for or ordered a hearing in respect of said application-declaration; and

It appearing that the application to acquire securities relates to a proposed distribution which is still pending before the Commission (File No. 54-191), and the Commission deeming it appropriate to defer action on such application and to reserve jurisdiction with respect thereto; and

The Commission having examined said declaration and the record in respect thereof in so far as it relates to the proposed 40 cents per share distribution by Power and finding with respect to this proposal that the applicable provisions of the act and the rules and regulations thereunder have been satisfied, and observing no basis for adverse findings in connection therewith; and the Commission deeming it appropriate in the public interest and in the interest of investors that said declaration in so far as it relates to the proposed 40 cents per share distribution by Power be permitted to become effective forthwith, subject to a reservation of jurisdiction to determine and pass upon the rights of Byllesby under the aforesaid contract, dated June 28, 1940, the settlement agreement, dated April 20, 1954, and the plan embodying said settlement agreement (File No. 54-215):

It is ordered, Pursuant to the applicable provisions of the act and the rules and regulations thereunder, that said declaration in so far as it relates to the proposed 40 cent per share distribution

by Power be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24, and subject to the following additional terms and conditions and reservations of jurisdiction:

1. Power shall accompany the dividend checks with a statement to the effect:

(a) That Power filed a declaration with the Commission pursuant to section 12 of the act and the Commission permitted the declaration to become effective without determining whether and to what extent the payment is being made out of capital or unearned surplus; and

(b) That the Commission's action in permitting the declaration to become effective is not to be construed as a determination by the Commission that all or any portion of such payment is or is not taxable to the recipients pursuant to the provisions of the Internal Revenue Code.

2. Jurisdiction be, and it hereby is, specifically reserved (a) over the application herein relating to the proposed acquisition of securities and (b) to determine and pass upon, in this or in any other appropriate proceeding, the rights of Byllesby under the contract dated June 28, 1940, the settlement agreement dated April 20, 1954, and the plan filed by Power embodying said settlement agreement, and the extent of Power's liability, if any, to Byllesby by reason of the distribution of 40 cents per share, as proposed, in the event the settlement agreement dated April 20, 1954, and the plan embodying the same are not enforced by an appropriate court.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-9695; Filed, Dec. 8, 1954;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29987]

PHOSPHATE FROM DON, IDAHO, AND GARFIELD, UTAH, TO MINNESOTA, NORTH DAKOTA, AND SOUTH DAKOTA

APPLICATION FOR RELIEF

DECEMBER 6, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to schedules listed below.

Commodities involved: Phosphate, acidulated or ammoniated, carloads.

From: Don, Idaho and Garfield, Utah.
To: Stations in Minnesota, North Dakota, and South Dakota.

Grounds for relief: Rail competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3560, supp. 253; Union Pacific Railroad Company, I. C. C. No. 5285, supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9698; Filed, Dec. 8, 1954;
8:49 a. m.]

[4th Sec. Application 29988]

COMMODITY COLUMN RATES BETWEEN
POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

DECEMBER 6, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to Consolidated Freight Classification.

Commodities involved: Commodities based on so-called commodity column rates (percentages of docket 15879 rates).

Between: Points in official territory including Illinois territory and extended Zone "C" in Wisconsin.

Grounds for relief: Rail competition, circuitry, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to

take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9699; Filed, Dec. 8, 1954;
8:49 a. m.]

[4th Sec. Application 29989]

MINIMUM COMMODITY COLUMN RATES
BETWEEN SOUTHERN AND OFFICIAL
TERRITORIES

APPLICATION FOR RELIEF

DECEMBER 6, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to the application.

Involving: Publication of commodity column rates (based on docket 15879 rates) to or from southern-official territory with overhead exceptions class rates applying between official territory, on the one hand, and southern territory, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9700; Filed, Dec. 8, 1954;
8:49 a. m.]